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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE
NEW ENGLAND AREA—PART 3

HEARINGS
BEFORE THE
COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES
EIGHTY-FIFTH CONGRESS
SECOND SESSION

MARCH 14, 20, AND 21, 1958

Printed for the use of the Committee on Un-American Activities

INCLUDING INDEX



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COMMITTEE ON UN-AMERICAN ACTIVITIES

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RICHARD ARENS, *Staff Director*

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¹ Released by the committee and ordered to be printed.

PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946], chapter 753, 2d session, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *

17. Committee on Un-American Activities, to consist of nine Members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

(q) (1) Committee on Un-American Activities.

(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

* * * * *

RULE XII

LEGISLATIVE OVERSIGHT BY STANDING COMMITTEES

SEC. 136. To assist the Congress in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the Senate and the House of Representatives shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the Congress by the agencies in the executive branch of the Government.

RULES ADOPTED BY THE 85TH CONGRESS

House Resolution 5, January 3, 1957

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress,

* * * * *

(q) Committee on Un-American Activities, to consist of nine Members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

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* * * * *

26. To assist the House in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the House shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the House by the agencies in the executive branch of the Government.

INVESTIGATION OF COMMUNIST ACTIVITIES IN THE NEW ENGLAND AREA—PART 3

THURSDAY, MARCH 20, 1958

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Boston, Mass.

PUBLIC HEARING

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 10 a. m. in courtroom No. 3, United States Courthouse and Post Office Building, Boston, Mass., Hon. Clyde Doyle presiding.

Committee members present: Representatives Clyde Doyle of California and Bernard W. Kearney of New York.

Staff members present: Richard Arens, staff director; George C. Williams and Frank Bonora, investigators.

Mr. DOYLE. The committee will please come to order.

Let the record show that the chairman of the full committee, Francis E. Walter of Washington, D. C., has reconstituted the subcommittee here for the purpose of these continued hearings, to consist of Mr. Moulder of Missouri, who is absent today in Washington of necessity, Bernard Kearney of New York, who is here and on my right, with myself, Clyde Doyle of California, acting as chairman.¹

Therefore, under our rules with the subcommittee of 3, 2 makes a quorum and a quorum is present, and we will proceed.

Mr. McIntosh of Michigan, also, was called back to Washington last night, he and Mr. Moulder to be there necessarily today on some important matters on the floor of the House of Representatives, in which they were personally concerned.

Are you ready, Mr. Arens?

Mr. ARENS. Yes.

¹ The order reconstituting the subcommittee is as follows:

MARCH 20, 1958.

To: Mr. RICHARD ARENS,
Staff Director, House Committee on Un-American Activities.

Pursuant to the provisions of law and the rules of this committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Representative Morgan M. Moulder, as chairman, and Representatives Clyde Doyle and Bernard W. Kearney, as associate members, to continue with the holding of hearings in Boston, Mass., in the place and stead of the subcommittee heretofore appointed, on subjects under investigation by the committee and to take such testimony on this day or succeeding days as it may deem necessary.

Please make this action a matter of committee record.

Given under my hand this 20th day of March 1958.

FRANCIS E. WALTER,
Chairman, Committee on Un-American Activities.

Mrs. Carol H. Foster, kindly come forward and assume the witness chair. Remain standing, please, Mrs. Foster, while the chairman administers an oath to you.

Mr. DOYLE. I know we will have the cooperation of the press in taking pictures before a witness is sworn but not after they are sworn, during the testimony.

Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. FOSTER. I do.

Mr. DOYLE. Thank you, ma'am. If you will be seated, please.

**TESTIMONY OF MRS. CAROL HARRIS FOSTER (ACCOMPANIED BY
HER HUSBAND, WILLIAM FOSTER)**

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mrs. FOSTER. I am Carol Harris Foster. I live at 96 Wellington Street, Nashua, N. H. I am a housewife.

Mr. ARENS. Kindly keep your voice up a little bit, please.

Mrs. FOSTER. I don't think I can talk that loud.

Mr. ARENS. You are appearing today, Mrs. Foster, in the company of your husband, William Foster?

Mrs. FOSTER. Yes, I am.

Mr. ARENS. Mrs. Foster, have you been a member of the Communist Party?

Mrs. FOSTER. Yes, I have.

Mr. ARENS. Have your connections with the Communist Party at any time ever been severed, either through resignation, expulsion, or some kind of public revelation?

Mrs. FOSTER. Not to my knowledge.

Mr. ARENS. Now I expect in the course of the interrogation to get into a number of items respecting your career in the Communist Party, but for present purposes may I ask if you have ever had any ideological sympathies with the Communist Party?

Mrs. FOSTER. No, I haven't.

Mr. ARENS. Your identification and services with the Communist Party are and have been exclusively and solely as an undercover agent of the FBI and as a person who has been cooperating with the Committee on Un-American Activities, is that correct?

Mrs. FOSTER. That is correct.

Mr. ARENS. Have you been directly or indirectly in contact with any other agency of any state, local, or national government in your undercover work in the Communist Party?

Mrs. FOSTER. No, I haven't.

Mr. ARENS. Your work has been solely and exclusively as an undercover agent for the FBI and this committee, is that correct?

Mrs. FOSTER. That is true.

Mr. ARENS. Mrs. Foster, I should like to have just a word on this record of your own personal background, a word about your own life.

Mrs. FOSTER. Well, I was born in a town in Nashua, N. H., in the year 1913, December 6. And I lived there most of my young life.

Mr. ARENS. Would you excuse me a moment, please, Mrs. Foster?

I wonder, Mr. Foster, if you could push those microphones a little closer to her so the public address system would pick up her voice a

little clearer and the committee would be better able to hear her testimony.

Mrs. FOSTER. I was educated in that area in the public schools, in private schools in Massachusetts and in New Hampshire.

Mr. ARENS. In passing, may I ask if you and Mr. Foster have children?

Mrs. FOSTER. We have two sons, one 21 and one 16.

Mr. ARENS. And where are the children now?

Mrs. FOSTER. One is a junior at Cornell University and studying electrical engineering, and the other one is a sophomore in the Nashua high school.

Mr. ARENS. Mrs. Foster, may I ask when was it that your children learned for the first time that you are and have been for several years an undercover agent in the Communist Party?

Mrs. FOSTER. Night before last.

Mr. ARENS. Tell us, if you please, if it isn't too personal—if it is, we certainly don't want to probe—what transpired in the process of your enlightenment of your children of your work?

Mrs. FOSTER. I phoned my son out in Ithaca, N. Y., and he couldn't believe it. He said, "Not my little mommy."

Mr. ARENS. That is your son who goes to Cornell?

Mrs. FOSTER. Cornell.

Mr. ARENS. When did you join the Communist Party?

Mrs. FOSTER. I joined in June, spring of 1947.

Mr. ARENS. Would you kindly tell us the circumstances which caused you to join the Communist Party?

Mrs. FOSTER. I was living on Cape Cod in Cotuit at the time, during the war in my husband's absence, and I wanted to get into some community activity, so I became a den mother. I had 16 Cub Scouts, and therefore I was asked to go to Hyannis and talk to mothers and fathers about working with Cub Scouts. At that time I was introduced to an FBI agent, and I just sort of jokingly asked him if he had any job that I might have in a position as a woman working for the FBI. He said no, women were not given the jobs in the FBI.

Mr. ARENS. Mrs. Foster, may I ask you, if convenient, for a little different arrangement on the microphones? Frankly, I think perhaps I am about the only one here who is actually hearing your testimony. The committee is another several feet away and having difficulty hearing.

Mr. KEARNEY. The one in the middle. That might be helpful.

Mrs. FOSTER. It seems I can hear things in my ears.

Mr. ARENS. If the person who is operating this sound public-address system might be able to work with it a little perhaps it would be a little easier for us to discern just what you are saying. Proceed.

Mrs. FOSTER. Do you want me to repeat?

Mr. ARENS. I believe if you go ahead on the theme that you were pursuing when you approached the agent of the Federal Bureau of Investigation.

Mrs. FOSTER. I asked him if there was a job in their organization for me, because I wanted to do some sort of work during the war and I like investigative work. They said no, they didn't hire women; but they did have a job, a very hard job and a very interesting job, and one that would be very helpful to my country if I would be interested and so—

Mr. ARENS. When, please?

Mrs. FOSTER. That was in 1945, in the fall of 1945.

So I was asked to—no, I was told what it would be about, and it was to be about collecting information and evidence on Communist activities in this part of the country, and I was given a week to think it over.

Mr. ARENS. Did you discuss it with your husband?

Mrs. FOSTER. Yes, I did.

Mr. ARENS. He has been thoroughly kept abreast of your activities as an undercover agent in the Communist Party, is that correct?

Mrs. FOSTER. Yes, he has.

Mr. ARENS. I think it might be interesting for our record if you tell us what Bill's job is.

Mrs. FOSTER. He is a sales director for the Nashua Corp. in Nashua, N. H. And I would like to say right here that without him I never could have done it. He spent many sleepless nights, and he is a wonderful guy, worrying about me.

Mr. ARENS. Mrs. Foster, would you kindly proceed. In 1945 you had that arrangement worked out. How long was it before you actually did assume, by techniques which we don't need to explore now, full status in the Communist Party?

Mrs. FOSTER. It was from the fall of 1945 until the spring of 1947.

Mr. ARENS. It was almost 2 years before you actually were admitted into membership in the Communist Party?

Mrs. FOSTER. That is right.

Mr. ARENS. I should like to ask you on the basis of your background and experience as an undercover agent in the Communist Party how serious is the Communist Party now, this minute, in the New England area?

Mrs. FOSTER. I think it is more serious than it has ever been in the entire history of the party.

Mr. ARENS. How can that be, Mrs. Foster, when we see and hear pronouncements to the effect that the number of Communists has been reduced, and we hear statements, public statements, by certain officials to the effect that the American people will never go for communism? How can you, as an undercover agent in the Communist Party, with years of extensive experience, make the statement that the Communist Party is today more a menace, more serious, than ever before?

Mrs. FOSTER. Those who are left in the Communist Party are what I call dyed-in-the-woolers. They are hard-core Communists, if I may repeat what I have heard here. They are very, very clever. They know how to manipulate themselves into all kinds of organizations, into trade unions, into schools, colleges, and almost any organization of any importance in this country.

Mr. ARENS. They multiply their influence, do they not, by getting at nerve centers in our country?

Mrs. FOSTER. I don't know if they multiply the numbers.

Mr. ARENS. I say their influence.

Mrs. FOSTER. Yes, their influence, that is true they do, and they are very hard to detect by the average American because really on the surface they are just like you and me. I find, if I didn't know who they were—they are very brilliant people, well spoken, a lot of them, well read, and it is very difficult to know who they are.

Mr. ARENS. Is there any question in your mind but what the Communist operation in the United States with its thousands of participants and its tens of thousands, if not hundreds of thousands of persons under Communist discipline, is part and parcel of a conspiracy controlled from Moscow?

Mrs. FOSTER. There is no doubt whatsoever.

Mr. ARENS. May we revert to the chronology of your activity in the Communist conspiracy and ask you to tell us who recruited you into the Communist Party?

Mrs. FOSTER. Joy Clark.

Mr. ARENS. And give us just a word about Joy Clark.

Mrs. FOSTER. Joy Clark was a colonizer, a young girl who was sent to Nashua to work in textile mills there and to head the Communist movement in the southern part of New Hampshire. Do you want me to—

Mr. ARENS. Do you here and now identify Joy Clark as a person known by you to be a Communist?

Mrs. FOSTER. I will have to go back a little bit. I have to go back to Cape Cod.

After I gave my answer, "Yes," to this FBI agent, I was informed that Joe Figueiredo in New Bedford, a Communist, was giving radio broadcasts every weekend, and it was suggested that I listen to them and that I mail him a letter telling that I was interested in the party, which I did. He wrote me a letter and asked me to come and see him. I made many calls on him. When I got ready to leave Cape Cod and come back to New Hampshire at the end of the war, he suggested that I get in contact with Elba Chase Nelson who was chairman of the Communist Party in New Hampshire, and I believe he must have written her a letter. I went up to see her, and after that call she came down and saw me and brought Joy Clark and introduced her and said I would be working with her at Nashua and named her as a Communist. I am sorry to take so long.

Mr. ARENS. That is perfectly all right. What were Joy Clark's duties in Nashua?

Mrs. FOSTER. She was supposed to call meetings and recruit new Communists and to work within her union, to work on the bosses of the union to try to carry the party line along in the union work. She didn't have very much luck, but she tried.

Mr. ARENS. Did she subsequently leave New Hampshire?

Mrs. FOSTER. Yes. She did. She finally left. She wasn't there too long.

Mr. ARENS. I wonder if before we proceed further you would tell us about your own experience in respect to Communist Party discipline over the individuals, in the lives of the individual comrades.

Mrs. FOSTER. My own experience?

Mr. ARENS. Yes.

Mrs. FOSTER. Well, I was expected to do what I was told to do, regardless of whether it happened to be a church day or party planned with my husband or something to do with the children. If there was something they wanted done, it wouldn't have set well if I hadn't done it. If a meeting was called, I was certainly expected to be there regardless.

Mr. ARENS. How, may I ask you, did you keep your activities within the conspiracy—and I know you had to go all over the New England area—from the children?

Mrs. FOSTER. I do have very curious children so it was a little harder perhaps than it would have been with some children who didn't pay much attention. I made up a lot of stories, and my family does a lot of hunting, fishing, golfing, all the prevailing sports you can name in New Hampshire because we have one of the most wonderful states in the whole country for that, so it was very easy for me to say that I was going fishing and that I was going hunting, or I used the camera also as a front.

Mr. ARENS. You are a camera fan?

Mrs. FOSTER. I was. At that time I was an amateur, but I did do newspaper work, and I have been doing newspaper work since the beginning of the war.

And I am willing to have any and all pictures taken whenever you allow them to be taken, but they may not be very good.

Mr. ARENS. Thank you.

But you kept your husband advised at all times of all of your moves?

Mrs. FOSTER. Yes, I did. He was my babysitter a great deal of the time.

Mr. ARENS. In view of the atheistic nature of the conspiracy, anti-God concepts, were you able as a comrade and undercover agent to keep your children in Sunday school?

Mrs. FOSTER. Well, I wasn't able to send them—I would have been, at the risk perhaps of being scolded or maybe worse than that, but I felt that I had to send them to a Sunday school somewhere so I just picked a Sunday school that was acceptable to them. I would rather not name the church.

Mr. ARENS. Did you hold office in the Communist Party in Nashua?

Mrs. FOSTER. After a while Joy Clark left, then I had the duty of secretary. I couldn't be a chairman of the group in Nashua because I didn't belong to a union.

Mr. ARENS. As secretary did you have access to the names of the trusted comrades?

Mrs. FOSTER. Yes, I did.

Mr. ARENS. Did you hold any other offices in the Communist Party?

Mrs. FOSTER. After awhile I was invited to participate in the state executive meetings of the Communist Party in New Hampshire.

Mr. ARENS. Was the New Hampshire State Committee part of a larger entity of the Communist Party?

Mrs. FOSTER. Yes, it was. It was within District 1 of New England.

Mr. ARENS. District 1 encompassed New England?

Mrs. FOSTER. New England.

Mr. ARENS. Where are the headquarters of District 1?

Mrs. FOSTER. Boston.

Mr. ARENS. Based on your experience in the Communist Party, could you tell us whether or not the Communist Party is a political party.

Mrs. FOSTER. No, it is not.

Mr. ARENS. What is it?

Mrs. FOSTER. It is a conspiracy.

Mr. ARENS. May we revert to the chronology of your career? What were your duties as secretary of the Communist Party of Nashua?

Mrs. FOSTER. I was supposed to collect dues and spread party propaganda. I was supposed to call meetings, send out cards, tell them when meetings would be, and sometimes I would have to contact a speaker who was coming from Boston, from the Boston office; and I contacted various sympathizers and fellow travelers who would be interested in the written matter that we had.

Mr. ARENS. In this capacity you, of course, had the opportunity to learn the identity of other Communists in the vicinity, did you not?

Mrs. FOSTER. Yes.

Mr. ARENS. Did the Nashua group include people other than from the immediate corporate limits of the city?

Mrs. FOSTER. Yes, it did.

Mr. ARENS. What general area was included in the Nashua group?

Mrs. FOSTER. Really the central southern area of the state. Do you want me to give boundaries?

Mr. ARENS. Please.

Mrs. FOSTER. They went about as far west as Wilton, New Hampshire, and Nashua, Hudson. That is about it.

Mr. ARENS. Mrs. Foster, would you kindly give us the name of each person who to your certain knowledge was a Communist in the Nashua vicinity, and give us a word about each one of them, a word of characterization or description, please?

Mrs. FOSTER. The number one Communist family in Nashua, New Hampshire was the Dobrowolski family.

Mr. ARENS. And who in that family were comrades, to your knowledge?

Mrs. FOSTER. In that family the mother was Kate Dobrowolski. She was in the beginning working in the mill and a very strong union person. She attended meetings and paid her dues. Then Eddie Dobrowolski was her son, and he had a store in the front of their home. He was quite active in the early days. He attended meetings, and he distributed Workers, Sunday Workers.

Louise Dobrowolski was the daughter of the family, and she sort of worked along with me after she returned home from wherever she went to school, I guess. After Joy Clark left, she and I really did things together in Nashua.

She was chairman of the Nashua branch when I was secretary, at least for part of the time, and she worked on mimeographing letters along with me, as Joy Clark had done before. And we spread them about the area. The meetings were held in her house, and they were held quite frequently in the early days. She later married Hugo De Gregory.

Then we have John Nahorski.

Mr. ARENS. Where is he now?

Mrs. FOSTER. He is now in Poland. He went to Poland of his own volition just before 1950. He was a very close friend of Dobrowolskis and lived right near them.

And there were Mr. and Mrs. John Twardoski. They were an old couple, occasionally came to meetings and paid their dues. And I do not have much else to say about them. They were very friendly with Dobrowolskis also.

There were Mr. and Mrs. George O'Brien. He was on relief, unable to get work, and they were elderly. I collected dues from them the same as the others. I went to see them a few times. And they

came to just one or two meetings that I can recall. They were really quite elderly. I don't even know if they are living now or not.

Then there was Joy Clark, of course, whom I mentioned. Do you want me at this time to go into Joy Clark a little more since she is going to be leaving soon.

Mr. ARENS. Yes, if you please.

Mrs. FOSTER. She started recruiting me and another family in town by holding meetings, indoctrination meetings on Marxism and the ways of the Communist Party. At least two of those boys in that family would be with me when she was explaining the Communist Party to us, and that is all that she did in the way of lessons or schooling. But she introduced me to most of the people, the majority of the people that I think that I mentioned who were Communists, Joy introduced me to, including a lot of people in Boston and people in the states that she knew at that time.

Mr. ARENS. Mrs. Foster, I think that this might be an appropriate time for me to ask you about the cut-out, security system in the Communist Party. One comrade within one unit of the Communist Party would not necessarily know who other comrades were in other units, isn't that correct?

Mrs. FOSTER. That is true.

Mr. ARENS. You were an undercover agent for the FBI, were you not?

Mrs. FOSTER. Yes, I was.

Mr. ARENS. Did you know Armando Penha, who was likewise an undercover agent for the FBI?

Mrs. FOSTER. No, I didn't.

Mr. ARENS. You didn't know him at all?

Mrs. FOSTER. No, I didn't. Of course, he didn't start until after I was about through.

Mr. ARENS. I see.

Mrs. FOSTER. Otherwise, I might have met him at meetings.

Mr. ARENS. The Communist Party has a very tight security system, does it not?

Mrs. FOSTER. Yes, it does.

Mr. ARENS. In which they do not let some comrades know who other comrades are?

Mrs. FOSTER. That is true.

Mr. ARENS. It is very difficult for Government agencies to get folks and to penetrate——

Mrs. FOSTER. Yes, it is.

Mr. ARENS. —the inner sanctums in order to see a complete pattern, isn't that correct?

Mrs. FOSTER. That is true. The only way that I think that can be taken care of is for the American people to be educated as to how these people operate. No matter who is pulling the strings somebody has to be out there as a puppet. And I think that when the mothers and fathers and the people of this country are thoroughly aware of exactly how this thing works, with party members working on the outside, we won't have anything more to worry about.

Mr. ARENS. You told me, and I think it might be well to direct your attention to it. You told me at one time if it weren't for the Communist Party dupes in the United States, people who do the job

of the Communist Party with the Communists pulling the strings, we wouldn't have anything to worry about. That was the essence of what you told me.

Mrs. FOSTER. That is right.

Mr. ARENS. Do you care to elaborate on that at this time, the extent to which the hard-core operatives multiply their effectiveness by getting dupes, and the like, to do their work?

Mrs. FOSTER. Well, they are. Right now, of course, is a wonderful time for the party to be working because of this recession with some people out of work, and they can get people easier if they are either a little neurotic or down-trodden or having hard times, and they really like that. As a matter of fact, when I first entered the party, they were rather disappointed that we didn't have another depression, and we often discussed that. They said it was a little slow coming, but it might be along pretty soon.

Mr. ARENS. Now may we proceed with identification of persons known by you there to be members of the Communist Party?

Mrs. FOSTER. To finish up with Joy Clark. She left us about—oh, about—2 years after I had known her for 2 years and went to New Bedford, and she told me she was going down there to be trained to become a countrywide worker in union methods and organization. And as far as I know, she went down there and did some kind of newspaper work and reports or something for the Daily Worker in that area. I am not certain.

Mr. ARENS. She is presently out on the coast?

Mrs. FOSTER. Yes. She and Joe Figueiredo, if they are still together, should be out in California somewhere.

Mr. ARENS. Would you kindly proceed with the next one?

Mrs. FOSTER. There is Mike Biturnis.

Mr. ARENS. I think it is only fair, Mr. Chairman, for me to recite that on the basis of information which we have, Mike Biturnis, who was a one-time member of the Communist Party, has since 1954 cooperated with Government agencies and is no longer in the party. Can you confirm that, Mrs. Foster?

Mrs. FOSTER. I cannot.

Mr. ARENS. You cannot confirm that?

Mrs. FOSTER. I didn't know that, No.

Mr. ARENS. Yes.

Mrs. FOSTER. He was sort of a little bit over a middle-aged man, and when Joy first came to Nashua she had a mimeograph machine in one of his rooms in the center of the city of Nashua. I went there with her, and I don't know that she slept there, but she cooked her meals there because I helped her. I also helped her mimeograph some leaflets there. And that is all that I have to say about Mike Biturnis. He may have come to a meeting, but I don't recall ever seeing him at certainly not very many. Then, that of course was my first year, 1947. Then we go to Benny, the Iceman, Maskiewicz.

Mr. ARENS. His first name is Benny?

Mrs. FOSTER. Benny.

Mr. ARENS. He is under subpena.

Mrs. FOSTER. "The Iceman" goes in between.

Mr. ARENS. Give us a word about him please.

Mrs. FOSTER. He is a very pleasant individual. He was a dyed-in-the-wool as far as Communists go. He is a very close friend of

the Dobrowolski family. He drank a little heavily so he wasn't too dependable for the party work, but he did help us out when he could.

Mr. ARENS. Did he contribute to the party?

Mrs. FOSTER. Yes, he did. He contributed regularly to the party financially and paid his dues when we could catch him.

Mr. ARENS. Is he a citizen, or is he an alien?

Mrs. FOSTER. I think he had been in this country at that time about 52 years, and I remember very clearly he was not. He did not have any papers. I don't know very much about citizenship papers, but he didn't have any.

Mr. ARENS. Is there another name, please?

Mrs. FOSTER. I might add that there were picnics held at his—he raised hogs in the town of Hudson, and it is where Hugo De Gregory lives now. He held picnics there. The party held picnics there to which members of the Boston Communist Party and surrounding areas occasionally came.

Two people who came that I remember one day were Dave and Ed Rosenberg.

The next one is Jacob Eida. He was introduced to me by Elba Chase Nelson. In fact, Elba would come down on the train, and I would drive her around. We would visit various people, and take information to them and either collect their dues or money from them and sort of keep them in touch with the party. Some of them would be fellow travelers.

Mr. ARENS. Mr. Chairman, I think it only fair for me to announce that it is our information that Jacob Eida has become disassociated from the Communist Party and has cooperated with Government agencies.

Mrs. FOSTER. Yes, that is true. I know that. He was expelled from the party. And would you like to know the reason why he was expelled?

He had some friends who came over from Poland, I think it was Poland, but I could be wrong, but one of the countries dominated by Russia, and he learned from them that things were not the way they had been painted to him over here, that they are having a very hard time and people really were down, being held under the iron thumb and that these people had gotten out of the country, come over here to live a good life. After they told him all the little details, he just wouldn't have any more to do with the party here.

Mr. ARENS. Is there another name?

Mrs. FOSTER. Yes. A minister and his wife—a Unitarian minister and his wife, Polly and Albert D'Orlando, lived in the town of Wilton. He had a church in Wilton and also one in Bedford.

Mr. ARENS. Where is he located now, Mrs. Foster?

Mrs. FOSTER. I wouldn't know where he is right now except that I seem to remember that he went south somewhere toward Texas.

Mr. ARENS. He is now in New Orleans. He has a large church in New Orleans there.

Mrs. FOSTER. Oh, he does?

Mr. ARENS. Is his name Albert D'Orlando?

Mrs. FOSTER. That is correct.

Mr. ARENS. Do you here and now identify the Reverend Albert D'Orlando as a person who to your certain knowledge was a member of the Communist Party?

Mrs. FOSTER. I do.

Mr. ARENS. Did you collect dues from the Reverend Albert D'Orlando?

Mrs. FOSTER. I did.

Mr. ARENS. When did you collect dues, over what period of time did you collect dues from the Reverend Albert D'Orlando?

Mrs. FOSTER. Before 1950, because I went with Hugo De Gregory to re-register him in 1950 and he refused to be re-registered then.

Mr. ARENS. In 1950 D'Orlando refused to be re-registered as a Communist, is that correct?

Mrs. FOSTER. Yes. He was very upset over Philbrick's testimony and said that he had known him.

Mr. ARENS. Did he announce to you that he was becoming disassociated from the Communist Party or did he give some explanation——

Mrs. FOSTER. No, he didn't.

Mr. ARENS. ——as to why he would not re-register in your particular group of the Communist Party?

Mrs. FOSTER. I am sorry. I can't recall what he said about it other than that. But he did say that he preferred to go to meetings down around the Boston area, than he did to ours, because he had a lot of friends down there. And that is where he read his papers. He wouldn't buy the Daily Worker or the Sunday Worker from me. He didn't take a subscription because his parishioners had access to his house and could come any time they wanted to. They told me, both of them, that they read their papers down there, not their papers, but somebody's papers.

Mr. ARENS. I should like to get the record clear on this. In 1950, when he told you that he was attending meetings in the Boston area and therefore——

Mrs. FOSTER. Gatherings in the Boston area, I don't know that they were formal meetings, just gatherings.

Mr. ARENS. Did he indicate to you whether or not those meetings that he was then attending in Boston were Communist meetings?

Mrs. FOSTER. He didn't announce that they were Communist meetings. But my understanding was that they were.

Mr. ARENS. Did you know his wife, Polly D'Orlando, to be a Communist?

Mrs. FOSTER. Yes.

Mr. ARENS. Did you collect Communist Party dues from her?

Mrs. FOSTER. I collected for her from her husband.

Mr. ARENS. Is there another name?

Mrs. FOSTER. Hugo De Gregory is my next name. He first came to Nashua; I first met him when he was sent there by the Boston office to give some classes in Marxism. Louise Dobrowolski and I had gone down to the office here in Boston and asked for material which we would like to have Phil Bineau teach us as he had offered to teach us. And they very nicely gave us everything that we needed and said that they would send it. We talked to Mrs. Timpson about this and Ann Garfield and, I believe, Dave Rosenberg at that time. We made an appointment from the Progressive Book Shop before we went up to the office to be sure it was all right to go up there. Then after we got home, I got a letter, or we got a letter, I don't remember which of

us it was, stating that Hugo De Gregory would be coming to teach the classes, and there were about 9, for sure, classes held in the various subjects.

Mr. ARENS. Before we go to the next name, I would like to revert again to the Reverend Albert D'Orlando. Is there any possibility that the payments made by D'Orlando to you were not Communist Party dues?

Mrs. FOSTER. Not to my knowledge.

Mr. ARENS. Did you collect them as dues?

Mrs. FOSTER. I did. Only once or twice, however, because I went with other people the other times.

Mr. ARENS. Are you absolutely certain that the Reverend Albert D'Orlando was a member of the Communist Party?

Mrs. FOSTER. Yes, I am.

Mr. ARENS. As of what period of time? What was the latest date?

Mrs. FOSTER. I was taken and introduced to them by Elba Chase Nelson, and she was the one who introduced me to them as Communists.

Mr. ARENS. What is the latest period of time at which you can to a certainty swear that the Reverend Albert D'Orlando was a member of the Communist Party?

Mrs. FOSTER. Well, Hugo and I went to re-register him in 1950, sometime in 1950, and it may have been a lapse of a few months over the time that we should have gone, but I would say it was safe to say a year and a half before that he had been registered.

Mr. ARENS. And he said he would not re-register because of Philbrick's testimony, is that correct?

Mrs. FOSTER. I would like to say that it is possible that Philbrick hadn't testified at that time and he might have said that at some other time when I went there. There is a possibility of that. But he did say that to me, and I saw them right after it happened. And they were very upset about it. And they left there soon after that.

Mr. ARENS. Mrs. Foster, I think that I should announce to you that Reverend D'Orlando was subpoenaed to appear before the committee in executive session. The announcement I am making now is after consultation with the members of the committee, that in the course of the interrogation in executive session of the Reverend D'Orlando in Washington we asked him in effect whether or not he had ever been a member of the Communist Party. He invoked his constitutional privileges up to and including 1945 or 1946. Thereafter, we asked him about Communist Party activities and membership and he asserted that at a period after about 1945 or 1946 he had made payments or contributions to the Communist Party but denied that he had paid money as dues. That is the reason why I am pressing you on this point. Are you certain that since 1945 or '46 you, while an undercover agent of the FBI, can testify that the Reverend D'Orlando did pay not just contributions or a money gift, but dues to the Communist Party?

Mrs. FOSTER. I would like to say—could I say this: That reports were sent in on this to the FBI here in Boston, and I am sure they will be available to you on that. And may I answer that—

Mr. ARENS. I would rather not get into that subject matter now. I would like to see if you—

Mrs. FOSTER. I am certain.

Mr. ARENS. Are you certain?

Mrs. FOSTER. I am not going to change that. That is what I sent to the FBI here in Boston, and I had his card with me with everything to fill out on it.

Mr. ARENS. What card was it that you had?

Mrs. FOSTER. I had cards that had the amount that they got, and they usually received stamps for their dues.

Mr. ARENS. These were Communist Party cards?

Mrs. FOSTER. It wasn't the card that they carried. It was a card that I had.

Mr. ARENS. Communist Party record card?

Mrs. FOSTER. A reference card.

Mr. ARENS. Where were the sessions held when you collected Communist Party dues from the Reverend D'Orlando?

Mrs. FOSTER. It was in his own home at Wilton.

Mr. ARENS. In his own home in Wilton. Do you recall approximately where his home was in town?

Mrs. FOSTER. Yes, I do.

Mr. ARENS. Could you tell us? I have never been in that vicinity at all.

Mrs. FOSTER. Actually it is Wilton Center. You go through Wilton and go to Wilton Center, and when you come to the blinker, there is only one, the house is immediately across the street on the right.

Mr. ARENS. Mrs. Foster, do you have a recollection of the approximate amount of the Communist Party dues which you have collected since 1945 from the Reverend D'Orlando, your best recollection, your best estimate or judgment?

Mrs. FOSTER. I can't remember whether it was a dollar or \$5. It's been too long.

Mr. ARENS. May we please proceed to the next name?

Mrs. FOSTER. Oliver Williamson, who was chief of police of Milford, N. H.

Mr. ARENS. And he was a member of the Communist Party?

Mrs. FOSTER. He was at one time.

Mr. ARENS. I think it only fair, Mr. Chairman, for me to announce that based upon confidential information we are satisfied that Oliver Williamson has disassociated himself from the Communist Party and has cooperated with Government agencies.

Mr. KEARNEY. That is the former chief of police?

Mr. ARENS. Yes, sir.

Next name, if you please, ma'am.

Mrs. FOSTER. Charles C. Beebe, Hollis, N. H. He is a long-time Communist and gentleman farmer.

Mr. ARENS. Charles C., is that correct?

Mrs. FOSTER. That is right. He was really our financial contributor in that area. He gave us money fairly regularly, sometimes in small amounts, sometimes in a larger amount.

Mr. ARENS. It is only fair, Mr. Chairman, for me to likewise announce publicly that it is our information from authentic sources that Charles C. Beebe of Hollis, N. H., has since 1953, become disassociated from the Communist Party and has cooperated with Government agencies.

In addition to the actual Communist Party members of the Nashua group, were there persons who were not Communists who contributed heavily to the Communist Party?

Mrs. FOSTER. I wouldn't say that they contributed heavily, but they contributed.

Mr. ARENS. Strike the word heavily, but they contributed.

Mrs. FOSTER. Yes, there were, and they contributed off and on in varying amounts.

Mr. ARENS. We do not want you on this public record to name such persons, but did you find in your Communist Party activity that the Communist Party used sympathizers as well as innocent persons to carry out the nefarious program of the conspiracy?

Mrs. FOSTER. Not very important jobs, of course. In a small way, they helped, mostly just financially.

Mr. ARENS. Do you have any recollection at the moment of an incident involving professors at the University of New Hampshire who were to be used by the conspiracy, if possible?

Mrs. FOSTER. When the PCA was first established in southern New Hampshire.

Mr. ARENS. That is the Progressive Citizens of America?

Mrs. FOSTER. That is right.

Mr. ARENS. Was that controlled by the conspiracy in New Hampshire?

Mrs. FOSTER. There were people in it who belonged to the Communist Party.

Mr. ARENS. It was the forerunner of the Progressive Party, was it not?

Mrs. FOSTER. Yes, it was. It came before Henry Wallace's party.

Mr. ARENS. Would you excuse my several interruptions there? If you will kindly proceed.

Mrs. FOSTER. Yes. We held a meeting at which Muriel Gravelle was present and she was working at the State House in Concord at the time. And the person who called this meeting, who was not a Communist, whom I do not wish to name here, asked her if she would be able to get a list from her office of the professors at the University of New Hampshire, and she said she thought she could, that she would try. I do not know whether she got them or not.

Mr. ARENS. The purpose of the attempt at least was to try to influence the professors, was it not?

Mrs. FOSTER. That is right.

Mr. ARENS. Specifically they were to be a target.

Mrs. FOSTER. They were to be used in some way, and I imagine to swell the ranks of the PCA.

Mr. ARENS. Muriel Gravelle has been identified publicly under oath by a live witness as a member of the Communist Party yesterday, and yesterday she appeared in response to a subpoena before this committee.

You have told us that you also have been on the New Hampshire State Committee of the Communist Party or served in some of these sessions of that committee, is that correct?

Mrs. FOSTER. Yes.

Mr. ARENS. Would you give us the names now of the persons who to your certain knowledge comprised the State Committee of the Communist Party of New Hampshire?

Mrs. FOSTER. Elba Chase Nelson was the state chairman, and she has been sort of the ruler of the roost in the Communist Party in New Hampshire for some long, long time. Muriel Gravelle was secretary, and Abraham Welanko was the treasurer.

Other people on the committee at one time or another were Bueno Wirkkila, he lived in Washington near Mrs. Nelson; Sidney Goldenberg, Berlin, N. H.; Charles Chase, at that time at the University of New Hampshire; Harold Horne, Berlin, N. H. and now in Florida, I think; Alex Karnikas, Goffstown; Marian Welanko, the wife of Abraham Welanko, lived in South Weir; and then myself. Other people who are not listed here came and went occasionally to take the place of some of these who were absent, but not as a regular thing.

Mr. ARENS. Now in connection with your duties as an officer of the State Committee of the Communist Party and an officer of the Nashua group of the Communist Party, did you have occasion to meet other people of the Communist Party throughout the State of New Hampshire?

Mrs. FOSTER. Yes, I did.

Mr. ARENS. Would you please name the cities or areas of New Hampshire and the Communist Party members in each area with whom you to a certainty became acquainted as Communists?

Mrs. FOSTER. Do you want just the names or do you want—

Mr. ARENS. You might give us, if you please, a word about each, if you have a recollection that you think would be appropriate.

Mrs. FOSTER. There was Muriel Grace Gravelle. She was an executive secretary of the Progressive Party, and she was secretary of the Communist Party.

Mr. ARENS. Is this the Concord-Hillsboro area, or central part of the state?

Mrs. FOSTER. Yes, it is. She also edited a paper that was gotten out every so often that went to Progressive Party members. Later on she worked with the New England Citizens Concerned for Peace in Boston after she left Concord and before she married Cliff McAvoy. That was sometime around—

Mr. ARENS. May I interrupt here please?

Mrs. FOSTER. Yes, sir.

Mr. ARENS. This Cliff McAvoy that you just mentioned is the husband of one of the witnesses here yesterday. Do you know whether that individual was one of the stalwarts of the American Labor Party in the State of New York?

Mrs. FOSTER. Did I know that? No, the only thing that I knew was at the time she married him he was running for councilman, and she was going to help with his campaign, and that is all I know.

Mr. ARENS. Do you know on what ticket he was running?

Mrs. FOSTER. No, I am sorry I don't. She also was a national councilwoman for the Progressive Party.

And she left New Hampshire and went to Boston and from Boston to New York. Elba Chase Nelson was chairman of the New Hampshire—I already mentioned her—chairman of the New Hampshire Communist Party. She, of course, in that—

Mr. DOYLE. May I inquire at that point about Elba Chase Nelson? Did you know her before she married Mr. Nelson?

Mrs. FOSTER. No, I didn't.

Mr. ARENS. Is that Mr. Nelson, if you know, is he the Nelson of the Nelson Case?

Mrs. FOSTER. No.

Mr. ARENS. Any connection with it as far as you know?

Mrs. FOSTER. No. He wasn't a member of the party. But he lost his job as the post office rural carrier because of his connections.

Mr. ARENS. Was she active in labor union circles, do you know?

Mrs. FOSTER. Elba Chase Nelson was in the early days. She told many stories about the good work that they did long ago. Of course, being chairman of the State Communist Party in New Hampshire meant that she was also a member of the inner circle in Boston and attended those meetings, district meetings in Boston.

Homer Chase, a son of Elba Nelson, was chairman of the Georgia Communist Party. I am sorry I don't know the number of years.

He was jailed down there for something that he claims that he didn't do and cited for contempt of court, and I guess he was bailed and he jumped bail and came back up here to New Hampshire, and he is still here. I just learned that he ran for selectman in the town of Washington and went from door to door to see everybody there, but he didn't make out very well and lost the election.

Oliver Chase is another son of Elba's. I don't know where he worked, but I often saw him around there, and he did have a small home next to his mother's, up the road.

Charles Chase is another son. He was at the University of New Hampshire when I first knew him. He was a very brilliant lad. He was a teacher later on, I believe, in some school near Boston.

Rachel Chase is the wife of Homer, Barbara Chase was the wife of Oliver, and Dorothy was the wife of Charles. Quite a few of them.

And then Bueno Wirkkila was a neighbor of the Nelsons.

Roland Gray taught school in Newington, New Hampshire, if I recall that correctly for one year at least. And I think he attended the University of New Hampshire prior to that time. He was used, just before Wallace, during the Wallace campaign, to get members for the Progressive Party to work on that campaign. And he roamed around the state doing that.

Then I have Bob Whitney. All I can say about him is that he appeared at a closed Communist meeting.

And, of course, Douglas Perry. He was around for sometime. He came to many of our meetings. Once and awhile he dominated a meeting. He was a U. E. organizer, and he moved about so I couldn't tell you exactly when he was where, but he was over near the coast for awhile, and then he went down to New Bedford. And he may still be in New Bedford.

Mr. ARENS. Now may I invite your attention to the Manchester area in New Hampshire and ask you to give us the name and a word of description about the activities or identification of each person who to a certainty was known by you to be in the Communist conspiracy?

Mrs. FOSTER. First of all was Victor DeNauw. Meetings were held in his house in Manchester. I never went to a closed Communist meeting at his house. There were other people invited. Elizabeth Gurley Flynn was one of them.

Mr. ARENS. May I say, Mr. Chairman, in fairness to Victor DeNauw, that it is the information of our committee from authoritative

sources that since 1954 Victor DeNauw has been disassociated from the Communist Party and has cooperated fully with Government agencies?

Mrs. FOSTER. James O'Donnell, at the time I first knew him, had lost his job with the Manchester mill because he had been using too Red tactics in the union there. And I believe that he used to work for Charles Beebe.

Mr. ARENS. May I say, Mr. Chairman, that the same observation pertains to James O'Donnell that pertains to Victor DeNauw, namely that he likewise has since 1954 been disassociated from the Communist Party and has cooperated with Government agencies?

Mrs. FOSTER. Charles Theodore, I think he was Greek. All I think of is bananas when I think of him, but I am sure he had a grocery chain, or grocery store, in Manchester, and he came to a few meetings and then he left. I think he moved to School Street or somewhere in Boston, and he may have opened another store down here. That is all I know about him.

Elton Gustafson, he also was a friend of the Beebes. They often mentioned him to me. He lived in Manchester and belonged to the Manchester Communist Party group. He wasn't a very good Communist, though, because many times he was asked to do a job and apparently he fell down on the job and he was scolded and ridiculed at the meetings for that. In fact he was considered for expulsion, but we tabled it and did not, as far as I know, put him out. That is all.

Mr. DOYLE. The committee will stand in recess for five minutes.

(A brief recess was taken.)

Mr. DOYLE. The committee will please come to order.

Let the record show that after a brief recess the committee reconvenes with Congressman Kearney of New York and Doyle of California, a quorum of the subcommittee is present.

Ready, Mr. Arens?

Mr. ARENS. Mrs. Foster, would you kindly continue? Up to the recess you were discussing names of persons who were known by you to be members of the Communist Party in the Manchester area of New Hampshire.

Mrs. FOSTER. Which one did I name last, please?

Mr. ARENS. The last person concerning whom you gave testimony was Elton Gustafson.

Mrs. FOSTER. The next one is Alex Karnikas. He lived in Goffstown, just outside of Manchester with his parents, and, I believe, his sister, Ann Karnikas. I can't tell you anything more about them, other than they appeared at meetings in the Manchester area.

The next one is Abraham Welanko, who was treasurer of the Communist Party and treasurer of the Progressive Party also. I don't know when he came here, but he was a lawyer who lived in South Weir with his wife and daughter and small son. He very seldom ever missed a meeting. He was on the executive board in the state and as far as I know he didn't work very much, if any, but he did help out when a lawyer was needed. He helped Louise Dobrowolski get her divorce from her first husband, for instance.

Mr. DOYLE. Did he charge fees?

Mrs. FOSTER. He charged a fee. I think it was somewhere in the vicinity of \$100.

Mr. DOYLE. Did he charge fees when he cooperated with you Communist leaders in matters that were referred to him for legal advice, for instance, as far as you know?

Mrs. FOSTER. I believe he charged them the same as he would anyone else unless it was just verbal advice, and I imagine he just put that out free.

He left his wife and his family and took his little boy, without any warning, and went to California, leaving his car in Boston and letting her know it was there. He usually sat very quietly at meetings and listened to other people, and then after they had talked a bit he would sort of put the cap on the bottle with a remark. In other words, he more or less overrode anyone at any meeting I always thought. I always had a feeling that he was just not an ordinary Communist member.

Marian Welanko was his wife, and meetings were held probably 50 percent of the time at their home in South Weir.

John Zabrowski, I know as a Communist only. I do not know very much about him except that he did come to a closed meeting at least once.

Mr. ARENS. Now would you kindly identify for this record the name of each person who to your certain knowledge was a member of the Communist Party in the Keene area or the southwest part of the state?

Mrs. FOSTER. I was told by Elba Chase Nelson on one of our trips that Julie and Dave Taylor were Communists and that they lived in Keene, also that Hulda, and I think the last name is either Hill or Hills, but I am not certain, was a comrade over there. We many times started to go to the Keene vicinity here, but never got there because we had too much else to do.

Mr. ARENS. May I invite your attention to the Berlin area of New Hampshire and ask you to give us a word about each person who to your certain knowledge was a member of the Communist Party in that area?

Mrs. FOSTER. Harold Horne was a national committeeman of the Progressive Party, and he also came to state committee meetings. He went into the Army somewhere in 1949 or 1950 and at that time he had to resign as a national committeeman, but I have no recollection of his resigning from the Communist Party. I believe he went to Fort Dix for his tour of duty, and I think he was a lieutenant, and I don't know what branch. When this state investigation started, either just before it started, when they announced it, he and his family left for Florida, and he was not able to appear before our state investigative committee on Communist activities.

Another one is Sidney Goldenberg and his wife, Dorothy Goldenberg, in the Berlin area. I think they were leaders of that area, and there were other people who were in their group and I do not know if they are Communists or not. I think they are.

Mr. ARENS. Did you also become acquainted with members of the Communist Party within the Boston area?

Mrs. FOSTER. Yes, I did. I do not know many of them as well as New Hampshire people, but I did meet them and they were introduced to me as Communists at the time.

Mr. ARENS. Would you give us their names and as much information as you can about each of them, please?

Mrs. FOSTER. The first one is Manny Blum. I know he is called Emanuel Blum, but we knew him as Manny Blum. I think he was on the staff of the Storrow School here in Boston at that time. He was, I believe, a labor organizer. I am not very good at the titles. I just knew people and reported what I found out. Manny came to Nashua and to our part of the state many, many times during my stay in the party. I got to know him fairly well.

He brought us literature and directives whenever anything came up that was supposed to be started or done, and several times he contacted me especially to do some work for the party which I did whenever I could.

Mr. ARENS. Did you know his wife, Vera Blum?

Mrs. FOSTER. I met her.

Mr. ARENS. Did you know her as a comrade?

Mrs. FOSTER. I was introduced to her as a comrade.

Mr. ARENS. Was she introduced to you by a comrade as a comrade?

Mrs. FOSTER. As one.

Joy Clark introduced the majority of these people to me that I'm going to give you because it was right after I joined in June 1947 that we took a trip to Boston and we visited several of these people in their homes. We went to their homes, and I believe that is where I met Vera. And we also went to a meeting in Boston. This was held in the Parker House, I believe, and I think she told me it was called the Progressive Book Shelf Meeting, although I can't imagine why. I remember Otis Hood was there, and he talked to us.

Other people I met with Joy were her sister Margot Clark, another couple were Flo and Marty Williams.

Mr. ARENS. And his wife was Flo?

Mrs. FOSTER. Yes.

Mr. ARENS. I guess this is Florence.

Mrs. FOSTER. I don't—

Mr. ARENS. All right.

Mrs. FOSTER. Frances and Otis Hood, Daniel Boone Schirmer, Geoffrey White, Anne and Art Timpson, and Louis Hicks.

Mr. ARENS. May I make this suggestion? Those persons who are, generally speaking, well-known comrades on whom there has been made a public record or who have been publicly identified in this series by Mr. Penha, I do not think it would be desirable for you to take more than a moment's time on each of them.

Mrs. FOSTER. I will go back to Daniel Boone Schirmer. He came to some of our meetings in New Hampshire.

Mr. ARENS. Yes. He has been identified and has appeared as a witness, Mrs. Foster.

Mrs. FOSTER. He made a remark at a meeting that I wanted to bring out, if I could.

Mr. ARENS. All right.

Mrs. FOSTER. We had a couple by the name of—well, the man's name was Moe Cerasoli, and Virginia Cerasoli from Vermont, and I believe that he was chairman of the Vermont Communist Party because they came down here to at least two of our meetings. And Moe asked Daniel Boone Schirmer whether or not the Communist Party should run on the Progressive Party, and his answer was absolutely. I can remember that very well because I memorized the name.

Mr. KEARNEY. I imagine the real Daniel Boone is spinning in his grave at this particular time.

Mrs. FOSTER. Louie Hicks, I met at a party with Joy Clark. He told me himself that he was a Communist and that he was a graduate of MIT. He was a Negro boy.

Fanny Hartman is another one. She was Joy Clark's adviser at the time I knew Joy. And we called on her at her home. And she even bought some of Joy's clothes occasionally.

Joseph Figueiredo, this isn't in the Boston area.

Mr. ARENS. That is all right.

Mrs. FOSTER. He was the first Communist, of course, that I ever knew, and I visited him many times. I had luncheon with him in Boston one day. He came to Nashua one day along with Manny Blum to get information and have me take pictures of the Nashua mills so he could write a pamphlet on them. Eulalia Figueiredo was his wife.

Mr. ARENS. She is the one who was deported?

Mrs. FOSTER. Yes. I met her several times.

I don't have Mary Figueirido down here, but she was mentioned to me as a Communist by Joseph Figueiredo at the time. But I never met her.

Morris Danzig, I know nothing about him except he was at a meeting, a Communist meeting, the one that was held at the Parker House I mentioned before.

Edward and Ann Garfield, as I knew her she was usually in the Boston office, and I knew them then as Communists through Joy Clark.

Dave Rosenberg, I am sorry I don't know what his position was, when I first met him, but I always thought of him as being pretty high up in the Boston circle, and he came to New Hampshire on several occasions to our meetings.

Frank Collier was either in charge of, or an employee at, the Progressive Book Shop in Boston, and he gave me a package one day to mail to the Cerasolis in Vermont. That is to identify him.

Jim Marino came to a secret meeting, and there is probably more information on him, but it would be probably in the FBI files because I sent it in in a report, and I don't remember what it is.

Fred Bradley is a man who called on me at my home, and I can't recall what our conversation was except that I know it had to do with the party, and on two or three different occasions. That is all I can tell you about him.

Phil Bineau, he offered to teach us. He was staying for a little while with the Dobrowolskis, and in the conversation with Louise and myself he offered to teach us Marxism classes in Nashua, and that was the time we went to Boston and got the information down there, and they sent Hugo up instead. That is all I can tell you about him.

Mr. ARENS. Mrs. Foster, this committee is interested in developing as much information as possible on the sources of Communist Party finances. Can you give us any information that will shed light on this subject?

Mrs. FOSTER. Money was collected in many ways. It was collected through dues. It was collected through selling party literature. It was collected at picnics with a raffle, people bringing things. It was

collected by taking a round of collections at a meeting. In taking one collection, the chairman would say, "Well, now let's have all paper money you have in your pocket." So then a hat would be passed around, and all the money would go in, and then it could come back again for all the change that was left in the pocket.

Mr. ARENS. How did he expect them to get home?

Mrs. FOSTER. I don't know.

I know that at a Progressive Party meeting that we had, I think for Wallace, the money was raised by asking everybody in the audience to wave a dollar bill or better in his hand. The man stood up there to do that and waited until everybody got something up, and I wanted to take a picture and got up there to take the picture and the bulb didn't go off.

Mr. KEARNEY. They still took capitalist money?

Mrs. FOSTER. There were also special drives and assessments. Every time somebody got sick or every time somebody was arrested or somebody was in jail or all sorts of things money had to be raised for it to help them out—for the civil liberties and the foreign born drives and, of course, for the famous 12. There were many of them. So we held parties and so forth.

Mr. ARENS. Over the course of years we have the evidence justly established as to the control by the Communist Party in hundreds of organizations across this Nation, Mrs. Foster, Communist fronts, and now what we call Communist fronts-in-front of the fronts. To what extent does the Communist conspiracy utilize these fronts and fronts-in-front of the fronts for the purpose of siphoning money from the American people?

Mrs. FOSTER. I think you will have to split up that for me.

Mr. ARENS. Was money raised, not in the name of the Communist Party, but in the name of various causes through front groups?

Mrs. FOSTER. It was in some instances.

Mr. ARENS. Could you tell us about the instances of which you have knowledge?

Mrs. FOSTER. The Minute Women for Peace, for instance, would be one. The Progressive Party, of course, in New Hampshire was Communist dominated and that money used by the Progressive Party, actually was being used by Communists also. We didn't have very many organizations in New Hampshire which were used as fronts in the way that you mean.

Mr. ARENS. You mentioned Communist Party dues, can you give us any information as to the amount of the dues and the distribution of the dues?

Mrs. FOSTER. They ranged from 10¢ up to almost any amount. If somebody had a lot of money and wanted to pledge a certain amount for dues they didn't have to, but I know they did. 10¢ dues would be for somebody that was unemployed, 35¢ would be for a woman who was probably a housewife, 50¢ possibly for the husband who was working in that family. And it would go on up. I think I paid \$1.25 myself, and I think the D'Orlandos paid \$1.25, if I am not mistaken. I know that Kate Dobrowolski paid \$1.25 for her dues, and she was at times, I believe, employed.

The dues were sort of arranged according to the jobs or the wealth perhaps that these people had. I am unable to remember all of them.

Mr. ARENS. You mentioned earlier that Joy Clark was a colonizer. Do you have any other information concerning efforts of the Communist Party to colonize within an industry in this area?

Mrs. FOSTER. The only other mention of that was a luncheon that I had with Joe Figueiredo in Boston at Jacob Wirth's one day, and he explained it to me. I don't remember whether I asked him or what, but he explained it. He told me that an ideal colonization unit would be approximately 10 people to be placed, to go into an area and work that area, and, of course, that number of people would be able to build up the numbers and also to work better in union organizations and meetings that they might go to and carry on the work more efficiently.

Mr. ARENS. During the time you were active in the Communist Party what security measures were exercised by the party?

Mrs. FOSTER. There were a lot of security measures. At meetings, for instance, the cards that I sent out had nothing on them except just the date and maybe my initials, and the people would know where they were supposed to go. Sometimes the address was given, but no information on those cards to start with.

Mr. ARENS. How about records? Do they presently keep records as the Rotary Club or Kiwanis Club would, or do they have a little different system?

Mrs. FOSTER. I was told that no records of members were kept when I first joined. Joy Clark told me that the information that I had given her that she wrote down on a card was to be transferred on onionskin paper—I suppose just copy paper—and placed in comrades' homes. And I know that later on those were also supposed to have been burned and destroyed, and the people in their own areas were supposed to have memorized the names of all members, sympathizers, and fellow travelers. I had to do it for the southern part of New Hampshire and Muriel Gravelle did it for the northern part.

Mr. ARENS. How about the telephone? Was that an instrument that was utilized by the party?

Mrs. FOSTER. We were not supposed to use the telephone for party business or to talk about it over the phone because we didn't have many dial systems up there. Also Abe Welanko warned us not to put return addresses on envelopes.

Mr. ARENS. In the event of an arrest of a comrade or the event a comrade was subpoenaed before an investigative committee what techniques were to be followed?

Mrs. FOSTER. They were to give out no information whatsoever, but to contact one of several people that were designated in the state. Through them they would receive instructions and help from an outside lawyer.

Mr. ARENS. To what extent did they undertake to utilize sympathizers and dupes?

Mrs. FOSTER. The only instance that I can think of is that when our records were moved from the home of Elba Chase Nelson to Muriel Gravelle's home, shortly after that it was decided for security reasons that they would be placed in the home of sympathizers unknown to anyone in the party. That is all I know.

Mr. ARENS. Can you give us the names now of people who were known to you to be Communist Party members who were also leaders in the Progressive Party?

Mrs. FOSTER. Muriel Gravelle, Abraham Welanko.

Mr. ARENS. Roland Gray?

Mrs. FOSTER. Yes.

Mr. ARENS. How about Charles Beebe?

Mrs. FOSTER. He was a committee delegate for the Progressive Party. He was chosen as a delegate.

Mr. ARENS. Harold Horne, does that name register with you?

Mrs. FOSTER. He was once the chairman of the Progressive Party.

Mr. ARENS. Was he likewise a Communist?

Mrs. FOSTER. Yes, he was.

Mr. ARENS. These people that you have just talked about were all known by you as a certainty to be members of the Communist Party, is that correct?

Mrs. FOSTER. Yes.

Mr. ARENS. Did the Communist Party select as the head of the Progressive Party a Communist Party member?

Mrs. FOSTER. No, they did not. Not after the commencing of it.

Mr. ARENS. Did the Communist Party undertake to utilize the churches and similar good organizations in the furtherance of its campaign and program?

Mrs. FOSTER. I was called by the Dobrowolski family one day and told somebody wanted to see me, and I went down and met Manny Blum out in the street. He told me that he had orders to give me and asked me to arrange a forum in my church, through my minister, and that would include a high-ranking member of the Progressive Party and then other lay members on that same forum. I sort of balked because I wasn't looking forward to asking my minister that. He said it was an order and that he wanted the answer within so many days. So I did go and ask him. The answer was No.

Mr. ARENS. This committee is vitally interested in Communist propaganda, Mrs. Foster, particularly in the form of booklets, leaflets, and the like. Can you give us any information as to how Communist propaganda is distributed in the New Hampshire area?

Mrs. FOSTER. Most of our meetings were attended by someone from the Boston office. It would either be Anne Burlak Timpson or Manny Blum or Daniel Boone Schirmer or many of the others, and they would come armed with all the latest in pamphlets and information and usually a short talk on what the issues were of the day and what we could do about it. And if some money was to be raised we would get the information at that time. Then that information written in stuff that they brought along was to be sold or distributed, and we very often bought them at that time.

Mr. ARENS. I don't believe we pursued completely the query with respect to Communist Party attempts to infiltrate non-Communist or legitimate organizations. Do you have information concerning such activities as the attempts to infiltrate non-Communist legitimate organizations as the PTA and other civic organizations in New Hampshire?

Mrs. FOSTER. The only time that I was asked to do anything like that was at the home of Fanny Hartman in 1947. She asked me,

told me I was in a very good position to form a PTA in my area because there wasn't one, and it would be a very good place to exercise some of the party things that we could do. I don't know what they would have been because I was a new member at that time.

Mr. ARENS. As far as the committee, we have been pursuing the problems of the United States passports by members of the Communist conspiracy, people under Communist discipline. Do you have any information respecting this type of activity by the Communists in New Hampshire?

Mrs. FOSTER. There was a peace conference held in Warsaw, and passports had to be gotten to send delegates over there. Money was raised for that purpose. And we had somebody in the State of New Hampshire whom we helped to go, it was a woman, and she was in the Progressive Party. I know for a fact that Joy Clark owed \$30 to Elba Chase Nelson at this particular time, and I know Mrs. Nelson turned the entire \$30 over to this woman for her part of the passage.

Mr. ARENS. The woman herself was not a party member, was she?

Mrs. FOSTER. No, she was not.

Mr. ARENS. Did you in the course of your activity in the Communist Party have occasion to go over to Cape Cod for any purposes?

Mrs. FOSTER. Yes. I was asked on at least three occasions to make a special trip to Cape Cod and spend four, five, or six days there.

Mr. ARENS. Where did you go and for what purpose, please?

Mrs. FOSTER. I went to Woods Hole and stayed for a week for the purpose of—Do you want me to mention the names?

Mr. ARENS. I do not think you should at this time, Mrs. Foster, mention the name of any person not known by you to be a Communist. We have this subject matter that you are about to mention under intensive investigation.

Mrs. FOSTER. It was for the purpose of learning what Communist might be entertaining other ones or lecturing there at Woods Hole. Also I was sent to Martha's Vineyard in the Menemsha area to do the same thing.

Mr. ARENS. Were the comrades, high echelon of the party, being entertained and received in homes of certain people of great affluence in Cape Cod?

Mrs. FOSTER. Yes, they would be.

Mr. ARENS. I prefer you would not name them at this time.

Mrs. FOSTER. No.

Mr. ARENS. You have, of course, consulted with us at length on many occasions, and we have elicited from you considerable information which we do not want to go into now at this public session.

Mr. Chairman, I respectfully suggest that unless Mrs. Foster has something she should like to volunteer that we have not interrogated her about, that would conclude the staff interrogation of her now with our thanks.

Mrs. FOSTER. I would just like to say that I think the country is very, very fortunate to have committees such as yours, using your eyes and ears and this method of bringing this very serious question before the American people. And as a mother my purpose for doing this in the beginning was for the benefit of my own children, of course, primarily, but also of all the mothers and fathers and their children in the country.

Mr. ARENS. Just one personal question that occurred to me. Do you feel good now you have it all behind you—that you can get back to normal living with your husband and children?

Mrs. FOSTER. I am not very happy about giving out personal information on people. But this was something that was bigger than me. And I ask God to forgive me, but I had to do it. So I did it.

Mr. DOYLE. General Kearney, any questions?

Mr. KEARNEY. Mrs. Foster, I don't have any questions. I want to make a few observations and the first is this: That I think and believe that you are a very, very courageous woman, and it is not only the thanks of the committee, but the thanks of all Americans who believe in their country that should go to you for your work on behalf of our way of life. It is dangerous work. These people will stop at nothing as we have found out in our years of service on this committee. As a matter of fact, even the members of the committee are not immune from attacks.

It is being constantly brought to the attention of the public when we hold these meetings by the various witnesses that the Communist Party is a political party. Do you believe that it is a political party?

Mrs. FOSTER. I do not. How could it be a political party when at their meetings they have to pull down all the curtains in order to discuss business?

Mr. KEARNEY. It was just going through my mind that I know that as far as the two political parties of our country are concerned, I never knew either one of them to say to the members of the respective party in the City of Boston that they could not and would not know who the members were, we will say, in New Bedford. And that is typical of the Communist Party.

You spoke about dues. Were there any other assessments to the members of the party beside dues?

Mrs. FOSTER. Yes, there were, special assessments.

Mr. KEARNEY. What were those special assessments?

Mrs. FOSTER. It has been such a long time I probably can't put my finger right on the specific one except that I do remember being asked by Mrs. Timpson, I believe, to collect \$50 for either—probably for the 12, the defense of the 12, but I can't remember just what it was for. Within a very short length of time, I did that. I didn't have very much trouble collecting the \$50, and that was one of them.

Mr. KEARNEY. Was there assessment laid against the members of the Communist Party in the various cells in addition to their dues, or an assessment, we will say, on the amount of money that they earned weekly from their particular jobs?

Mrs. FOSTER. Occasionally. I don't know how often. I remember members being asked to contribute a week's pay.

Mr. KEARNEY. You know you mentioned, I believe, that no information was to be given out by members of the party if they were arrested.

Mrs. FOSTER. That is right.

Mr. KEARNEY. That also applies, too, if they were called before this committee, is that not a fact?

Mrs. FOSTER. That is right, yes.

Mr. KEARNEY. In other words, no information whatsoever, but plead the amendments to the Constitution that they are trying to overthrow?

Mrs. FOSTER. Yes.

Mr. KEARNEY. I want to call your attention to what to me is a very, very peculiar situation. We have had testimony—I do not know whether you have been in the hearing room all the time since the sessions commenced or not.

Mrs. FOSTER. No.

Mr. KEARNEY. But we have had testimony from various individuals, some of whom we will say—Professor David Fein, until he was suspended, was one who was teaching the youth of our country; Anne Burlak Timpson, the Red Flame, Red, yes, flame, no. We also had an individual by the name of Otis Hood, who stood for Governor of this great commonwealth, but without avail. We also had Daniel Schirmer or Daniel Boone Schirmer, a Harvard graduate, who yesterday took the fifth amendment as I recollect 40 times, who refused to account for his employment for 17 years after graduation from Harvard University.

Mr. DOYLE. 17 out of 24 years after graduation.

Mr. KEARNEY. 17 out of 24 years after graduation.

Mr. DOYLE. Maybe he was not working.

Mrs. FOSTER. May I say something? It seems to me a good honest American wouldn't be afraid to say anything.

Mr. DOYLE. That is right.

Mr. KEARNEY. Let me tell you something, if I may. You are going to be called names by these people, but pay no attention to these fifth amendment Americans. They are no good. They will call you an informer, they will call you a two-timer, they will call you every name in the book, and we know all those names. But let me tell you now that you can walk out of this hearing room with your head held very high. You are a credit and thank you.

Mrs. FOSTER. Thank you.

Mr. DOYLE. Thank you, General Kearney.

For the purpose of brevity and on account of the lateness of the hour, I will just concur in the very fine words by this distinguished American veteran to my right, whom we affectionately call General Kearney because he was a distinguished general in his own right in the service of our country, and is now a distinguished Congressman from the State of New York.

I wish to take this one minute just to read something that I made a copy of this morning on the way here. It appears on the walls of the Old South Church within 500 yards of here:

This land was part of the land granted by the colony to Governor John Winthrop. It was his garden. Benjamin Franklin was baptized in this meeting house which was built in 1670. Here were held the town meetings that ushered in the Revolution. Here Samuel Adams exhorted. Here the men of Boston proved themselves independent, courageous, free men worthy to raise issues which were to concern the liberty and the happiness of millions of people yet unborn.

Coming from California as I do, I just wish to emphasize that you people who live in Boston and in the Boston area, live in what is a great inspiration to us men out West who seldom, if ever, get a chance to come to this area, which is the very threshold of our American freedoms and American liberties. It seems quite inconsistent to me that so many hundreds of Communist conspirators should thrive in this area.

I wish to thank you on behalf of the committee, Mrs. Foster, for your very great helpfulness.

Mrs. FOSTER. Thank you.

Mr. DOYLE. The committee meeting will stand adjourned until 1:30 today.

(Whereupon, at 11:59 a. m., Thursday, March 20, 1958, a recess was taken until 1:30 p. m. of the same day.)

(Afternoon session, Thursday, March 20, 1958: see p. 2321.)

INVESTIGATION OF POSSIBLE COMMUNIST PARTY AFFILIATION OF ALBERT D'ORLANDO

FRIDAY, MARCH 14, 1958

UNITED STATES HOUSE OF REPRESENTATIVES,
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D. C.

EXECUTIVE SESSION ¹

The committee met, pursuant to call, at 10:15 a. m., in Room 226, Old House Office Building, Washington, D. C., Hon. Francis E. Walter (chairman) presiding.

Committee members present: Representatives Francis E. Walter, of Pennsylvania (chairman), Morgan M. Moulder, of Missouri, Clyde Doyle, of California, and Robert J. McIntosh, of Michigan.

Staff members present: Richard Arens, staff director; and George C. Williams, investigator.

Mr. ARENS. On the record.

The CHAIRMAN. Do you swear the testimony you are about to give will be the truth, the whole truth and nothing but the truth, so help you God.

Reverend D'ORLANDO. I do.

TESTIMONY OF REV. ALBERT D'ORLANDO, ACCOMPANIED BY COUNSEL, HARRY I. RAND AND SIMMIE R. MONROE

Mr. ARENS. Kindly identify yourself by name, residence and occupation.

Reverend D'ORLANDO. Reverend Albert D'Orlando, 7700 Nelson Street, New Orleans, Louisiana. I am the minister of the First Unitarian Church in New Orleans.

Mr. RAND. May I just interrupt for a moment and identify myself for the record?

Mr. ARENS. We expect that to be done in just a minute, if you please, sir.

Mr. RAND. Mr. Chairman, I tell you why I want to interrupt, because I have not been able to advise my client due to the fact that we do not know what the subject matter of the investigation is. If we are going to reach that at some early point in the meeting I would appreciate it.

Mr. ARENS. You are appearing today in response to subpoena which was served upon you by the House Committee on Un-American Activities?

Reverend D'ORLANDO. That is right.

¹ Released by the committee and ordered to be printed.

Mr. ARENS. And you are represented by counsel?

Reverend D'ORLANDO. Yes, sir.

Mr. ARENS. Counsel, will you identify yourselves?

Mr. RAND. I am Harry Rand; my office is in the Wyatt Building, Washington, D. C.

Mr. MONROE. Simmie R. Monroe, and my office is at 716½ Berwyn Street, New Orleans.

Mr. ARENS. Reverend D'Orlando, how long have you been located in the New Orleans area?

Reverend D'ORLANDO. I have been in the New Orleans area since September 1950.

Mr. ARENS. Have you been associated with your present church during all of that period?

Reverend D'ORLANDO. Yes, sir.

Mr. ARENS. Where were you located immediately prior to the time that you came to the New Orleans area?

Mr. RAND. Mr. Chairman, again I do not wish to interrupt, but I must say I think we are entitled to a definition of the question under inquiry before interrogation proceeds so that I may be in a position, should this witness turn to me, to know how to advise the witness as to his rights. May we have such a definition at this time?

The CHAIRMAN. I think as we progress you will see the relevancy of this.

Mr. ARENS. Sir, kindly answer the question as to where you were located prior to the time you went to New Orleans.

Reverend D'ORLANDO. May I say that I have come a great distance at a great inconvenience to myself and to my congregation. There are duties in New Orleans which I have left behind in order to come here, and I would like to know the nature of the inquiry to take place.

Mr. ARENS. I should be glad, Mr. Chairman, if you would like, to give an explanation at this time.

The CHAIRMAN. Go ahead.

Mr. ARENS. Through the Committee on Un-American Activities, a subcommittee is conducting a series of investigations and hearings for the purpose of developing information which will be useful to this committee in appraising a number of provisions of the legislation presently pending before the committee including legislation which undertakes to cope with problems in regard to Communist propaganda, Communist Party underground activities, whether or not the Communist Party in itself as an entity ought to be outlawed and the like.

In the course of preliminary inquiries made by the staff, reported to the chairman of this committee, information has been developed to the effect that you, Albert D'Orlando, have information respecting the functioning and operation of the Communist Party.

Therefore your presence has been required here for the purpose of this interrogation.

Now would you kindly tell us where you lived, where you were located prior to the time you went to the New Orleans area?

Reverend D'ORLANDO. Prior to the time I went to New Orleans I was in New Hampshire.

Mr. ARENS. Where in New Hampshire?

Reverend D'ORLANDO. Wilton, New Hampshire.

Mr. ARENS. In what capacity were you there?

Reverend D'ORLANDO. I was minister of two small Unitarian churches, one in Wilton Center and another in Milford, N. H.

Mr. ARENS. During what period of time were you located in each of these two small areas?

Reverend D'ORLANDO. This was in November of 1945 until I went to New Orleans. I was minister of the two churches at the same time.

Mr. ARENS. That would be, say from November 1945 until about 1950?

Reverend D'ORLANDO. Till September 1950, that is right.

Mr. ARENS. May we proceed in a reverse chronological order; kindly tell us where you were located and what were your charges prior to the time you were located in 1945 in these two small areas in New Hampshire.

Reverend D'ORLANDO. I went to New Hampshire very shortly after my ordination, which took place on August 1st, 1945, in the Unitarian Church at East Boston, Mass.

I had served this church for two years in the capacity of student minister; that is, it was during the time I was studying at Tufts School of Religion. I enrolled in Tufts School of Religion in September of 1940.

Mr. ARENS. Could you give us a word on your formal education, since we are going in reverse fashion?

Reverend D'ORLANDO. All my formal education took place at Tufts University in Medford, Mass., from the period September 1940 to June 1945.

Mr. ARENS. Are you a native of Massachusetts?

Reverend D'ORLANDO. I am.

Mr. ARENS. Rev. D'Orlando, are you now or have you ever been a member of the Communist Party?

Reverend D'ORLANDO. May I discuss this with my counsel?

Mr. ARENS. Yes, sir.

(The witness conferred with his counsel.)

Reverend D'ORLANDO. I wish to say that I am not now a member of the Communist Party; that I have not been a member of the Communist Party since my ordination into the ministry in 1945; and that for any period prior to that I would stand on my constitutional rights and not answer the question further.

The CHAIRMAN. I think it is my duty to direct you to answer the question. In view of the fact that you have answered fully as to your membership since 1945 I see no reason why you should not answer the question as to whether or not you were a member before that time.

Reverend D'ORLANDO. I wish to stand on my constitutional rights not to answer prior to 1945.

Mr. ARENS. Have you since 1945 paid dues to the Communist Party?

Reverend D'ORLANDO. Not to my knowledge I have not paid dues since 1945.

Mr. ARENS. Have you since 1945 made any contributions of money to the Communist Party?

Reverend D'ORLANDO. I believe I have made some contributions in the form of money to the Communist Party.

Mr. ARENS. Please tell us under what circumstances and to whom you made these contributions.

Reverend D'ORLANDO. May I discuss this with my counsel?

Mr. ARENS. Yes, sir.

(The witness conferred with his counsel.)

Reverend D'ORLANDO. May I say that money which I may have given during this period was not money which I knowingly gave directly to the Communist Party; it was money which I gave assuming I was supporting worthy causes or causes of one sort or another which I deemed worthy of my support during this period?

Mr. ARENS. Did you pay this to a person who was known by you to be a Communist?

Reverend D'ORLANDO. May I direct this to my counsel, please?

Mr. ARENS. Surely.

(The witness conferred with his counsel.)

Reverend D'ORLANDO. I only knew of this person's alleged membership in the party through public knowledge.

Mr. ARENS. To whom did you pay the money?

Reverend D'ORLANDO. To the chairman of the Communist Party in New Hampshire, Mrs. Nelson.

Mr. ARENS. What was her first name?

Reverend D'ORLANDO. I believe her first name was Elba.

Mr. ARENS. Was her middle name Chase?

Reverend D'ORLANDO. I believe it was.

Mr. ARENS. Did you know her to be a Communist?

Reverend D'ORLANDO. May I discuss this with my counsel?

The CHAIRMAN. He has already testified to that.

Mr. RAND. He testified he knew; it was public knowledge that she was chairman of the party.

Mr. ARENS. Have you ever attended any closed party meeting with Elba Chase Nelson?

Reverend D'ORLANDO. No.

Mr. ARENS. How much money did you give Elba Chase Nelson and over what period of time?

(The witness conferred with his counsel.)

Reverend D'ORLANDO. It was over a very short period of time during the time I was in New Hampshire. I do not recall the amount of money, but it could not have been much more than a pittance since I did not have more than that.

Mr. ARENS. On how many occasions did you pay money to Elba Chase Nelson?

Reverend D'ORLANDO. On very few occasions. I do not know the number.

Mr. ARENS. Would it be as many as a dozen?

Reverend D'ORLANDO. I do not believe so.

Mr. ARENS. As many as a half-dozen?

Reverend D'ORLANDO. It may have been within a half-dozen range. I doubt it was more than that.

Mr. ARENS. Where did you actually transmit the money to Elba Chase Nelson?

Reverend D'ORLANDO. At my home.

Mr. ARENS. Did she give you a receipt for the money?

(The witness conferred with his counsel.)

Reverend D'ORLANDO. I do not recall that I ever received a receipt for the money.

Mr. ARENS. Did you ever give any money to any other person who was known by you to be a Communist or for Communist Party purposes?

Reverend D'ORLANDO. I do not recall that I did.

Mr. ARENS. Did you ever give any money to a woman by the name of Carol Foster?

(The witness conferred with his counsel.)

Reverend D'ORLANDO. I recall having given her some money for literature at one time.

Mr. ARENS. What literature was it for which you gave her the money?

Reverend D'ORLANDO. As I recall it she had some pamphlets dealing with the various affairs of the Communist Party at that time. I read quite extensively and when she had come to my house with some of this I purchased a few pamphlets. I do not recall now what they were.

Mr. ARENS. Did you purchase more than one copy of any pamphlet?

Reverend D'ORLANDO. I do not recall that I did.

Mr. ARENS. Over what period of time did you purchase these pamphlets from Mrs. Foster?

Reverend D'ORLANDO. It was again during this period but I do not recall the period of time.

Mr. ARENS. About how many purchases would you judge that you made?

Reverend D'ORLANDO. I would judge that I made very few. I do not remember.

Mr. ARENS. Would you judge there were as many as half a dozen in the course of your period of service in New Hampshire?

Reverend D'ORLANDO. This Carol Foster to whom you refer came with Mrs. Nelson when they came to visit with me. It was during this period that I made these purchases.

The CHAIRMAN. Who was this woman? Was she also an official in the Communist Party?

Reverend D'ORLANDO. I have no idea.

Mr. ARENS. Do you recall joining with a number of people in a protest to Judge Medina urging the release from prison of a number of Communist defendants back in June of 1949?

(The witness conferred with his counsel.)

Mr. RAND. May we see that?

Mr. ARENS. Yes. It is a photostatic copy of the Communist Daily Worker of June 7, 1949, and I ask you if that refreshes your recollection as to your participation in that particular protest to Judge Medina?

(The witness conferred with his counsel.)

Mr. RAND. The question was: Does he recall signing that?

Mr. ARENS. Yes.

Reverend D'ORLANDO. Yes.

Mr. ARENS. Thank you. What position in the Communist Party did you understand Elba Chase Nelson occupied?

Reverend D'ORLANDO. I understood through public knowledge that she was the chairman of the party of the State of New Hampshire.

Mr. ARENS. Do you know who the secretary of the party for the State of New Hampshire was at the time you were in the New Hampshire area?

Reverend D'ORLANDO. No, I do not.

Mr. ARENS. Do you know who the chairman of the Communist Party was at any time in Massachusetts?

(The witness conferred with his counsel.)

Reverend D'ORLANDO. I would refuse to answer that inasmuch as this goes back to before 1945 and I would stand on my privilege.

The CHAIRMAN. What constitutional amendment do you invoke?

Reverend D'ORLANDO. I invoke the first amendment and the fifth amendment and all of the rights that are granted to me in the Constitution. I understand there are others.

Mr. ARENS. Did you ever resign from the Communist Party?

(The witness conferred with his counsel.)

Reverend D'ORLANDO. I decline to answer for the same reasons.

Mr. ARENS. Do you know or have you ever known a person by the name of Hugo DeGregory?

Reverend D'ORLANDO. May I hear the question again, please?

Mr. ARENS. Do you know or have you ever known a man named Hugo DeGregory?

(The witness conferred with his counsel.)

Reverend D'ORLANDO. Let me say that this would depend very much on what you mean by do I "know" or have I "known." I have known of a Mr. DeGregory.

Mr. ARENS. I beg your pardon?

Reverend D'ORLANDO. I have known of a Mr. DeGregory.

Mr. ARENS. In what capacity have you known of him?

Reverend D'ORLANDO. This man to whom you refer called on me once at my home in New Hampshire when I was living there; but I do not know him to be a member of the Communist Party.

Mr. ARENS. What was the nature of his visit there?

Reverend D'ORLANDO. This was some time ago. I do not recall.

Mr. ARENS. Was it purely a social visit?

Reverend D'ORLANDO. To the best of my knowledge it was a social visit.

Mr. ARENS. Was any activity involving the Communist Party the subject of any part of your conversation with him?

Reverend D'ORLANDO. I do not recall.

Mr. ARENS. Have you, Reverend D'Orlando, since 1945 or at any time in your life made available to any agency of the Government of the United States any information of which you are possessed, respecting activities of the Communist Party?

Mr. RAND. You are assuming he is possessed of some information?

The CHAIRMAN. He has admitted he was a member.

Mr. RAND. No. He has not admitted that he was a member. He said he was not a member after 1945.

The CHAIRMAN. Were you a member before 1945?

Reverend D'ORLANDO. I stand on my rights.

The CHAIRMAN. You invoke the Constitution; what amendment?

Reverend D'ORLANDO. I invoke all the amendments that protect my rights.

The CHAIRMAN. You tell us you were not a Communist since 1945 but when asked about your membership before that you invoke the Constitution?

Reverend D'ORLANDO. That is right.

Mr. ARENS. Have you revealed to any agencies of the Government of the United States any information respecting the Communist Party of which you may be possessed?

(The witness conferred with his counsel.)

Reverend D'ORLANDO. I decline to answer the question.

Mr. DOYLE. On what grounds?

Reverend D'ORLANDO. Constitutional grounds.

Mr. DOYLE. Which amendment?

Reverend D'ORLANDO. All amendments that pertain.

Mr. ARENS. When you were in New Hampshire after you left the seminary did you attend any Communist Party meetings?

Reverend D'ORLANDO. In New Hampshire?

Mr. ARENS. Any place.

Mr. RAND. That is after 1945?

Mr. ARENS. Yes. I am using that date, the same date which you are using.

(The witness conferred with his counsel.)

Reverend D'ORLANDO. Not that I recall, sir.

Mr. ARENS. Tell us now the names of all of the principal persons known by you to be Communists in Massachusetts.

Reverend D'ORLANDO. I decline to answer for the same reasons.

Mr. ARENS. In 1946, which I call to your attention is the first year after the time when you say you were not a member of the Communist Party, in 1946 were you against the Communist Party?

Reverend D'ORLANDO. May I discuss this with my counsel?

Mr. ARENS. Certainly.

(The witness conferred with his counsel.)

Reverend D'ORLANDO. I would refuse to answer this question as it involves an inquiry into my beliefs and I avail myself of my constitutional rights.

Mr. ARENS. Have you ever been a member of the Communist Political Association as distinct, at least technically, from the Communist Party?

Reverend D'ORLANDO. I decline to answer this on the same grounds.

Mr. ARENS. Have you been a member of the Communist Political Association at any time since 1945?

Reverend D'ORLANDO. I decline to answer on the same grounds.

Mr. ARENS. Have you been a member of the Communist Political Association at any time since 1946?

Reverend D'ORLANDO. No. I have not been.

Mr. ARENS. Have you been under Communist Party discipline at any time since 1945?

(The witness conferred with his counsel.)

Reverend D'ORLANDO. I do not know what this means, sir.

Mr. ARENS. Have you taken orders, directives, instructions of any kind from the Communist Party since 1945?

(The witness conferred with his counsel.)

Reverend D'ORLANDO. The answer is No.

Mr. ARENS. Were these money payments which you made to the Communist Party, concerning which you have told us, periodic and regular, or were they occasional?

Mr. RAND. These are the ones in New Hampshire?

Mr. ARENS. Yes, sir.

Reverend D'ORLANDO. To the best of my knowledge they were occasional.

Mr. McINTOSH. If I may ask a question, Mr. Arens; as I understand, your testimony initially was that you made certain payments

to the Communist Party which you later explained were contributions to causes or objectives.

What to your recollection are some of the causes or objectives or purposes of these contributions to the Communist Party after 1945?

Mr. RAND. I think, Congressman, the witness was referring to the contributions to the chairman of the party in New Hampshire. That is what he meant.

Mr. McINTOSH. Yes, and he said they were for projects. I am asking if you can elaborate on some of them.

(The witness conferred with his counsel.)

Reverend D'ORLANDO. This was primarily for the purchase of literature.

Mr. McINTOSH. As I recall your testimony you distinguished between payments to one person for literature and payments to another person for what you called worthy objectives or purposes or projects of some sort.

What I meant was not the purchase of literature as such, but the contributions to the person you mentioned as knowing to be a Communist Party chairman.

Reverend D'ORLANDO. It was not my intention to distinguish between these two people.

Mr. McINTOSH. I believe you quite clearly distinguished between them.

Reverend D'ORLANDO. It was not my intention to do so.

Mr. McINTOSH. When you testified earlier that you made contributions, and that was your word, to the chairman of the Communist Party known to you to be such, which you say were for contributions to certain causes and projects, can you at this time tell us what any of those causes or projects were which motivated you to make a financial contribution?

(The witness conferred with his counsel.)

Reverend D'ORLANDO. I would answer this question in this way: that the money which I contributed at that time, it was my understanding was in the nature of a contribution to the candidacy of Henry Wallace who was running for the presidency of the United States.

Mr. McINTOSH. Were you solicited by the chairman of the Communist Party to contribute to Mr. Wallace's campaign?

(The witness conferred with his counsel.)

Reverend D'ORLANDO. Yes. To the best of my knowledge it was solicited and given voluntarily.

Mr. McINTOSH. Those gifts were of small amounts on several different occasions, is that right?

Reverend D'ORLANDO. Very small amounts.

Mr. McINTOSH. I have no further questions.

Mr. ARENS. Was there any other person to whom you made contributions or payments who was to your understanding a member of the Communist Party or represented the Communist Party?

Reverend D'ORLANDO. Not to my knowledge.

Mr. ARENS. Have you since 1945 actively participated in any groups or organizations which are generally characterized as Communist fronts?

Reverend D'ORLANDO. Not to my knowledge.

Mr. ARENS. You know what "Communist front" is?

Reverend D'ORLANDO. I am not sure what you mean by this.

Mr. ARENS. It is an organization which is not a Communist organization but is controlled by the Communist Party.

The CHAIRMAN. What about this article? What is the date of that?

Mr. ARENS. June 7, 1949.

The CHAIRMAN. Was that an organized activity?

Mr. ARENS. Yes, sir.

Mr. RAND. Mr. Chairman, I think that should be read into the record. That was——

The CHAIRMAN. I am speaking to Mr. Arens.

Mr. ARENS. Who solicited you to participate in this enterprise of trying to get the Communists who were convicted in Judge Medina's court released?

Mr. RAND. You mean the telegram that went out, not an "enterprise."

Reverend D'ORLANDO. I do not remember.

Mr. RAND. May we have the telegram and names read into the record?

The CHAIRMAN. We will incorporate the whole page in the records of the committee.

Mr. ARENS. Do you know or have you known a person by the name of Charles C. Beebe?

Reverend D'ORLANDO. No.

Mr. ARENS. Do you know or have you known a person by the name of Muriel Gravelle?

Reverend D'ORLANDO. I do not recall the name.

Mr. ARENS. Do you know or have you known a person by the name of Homer Chase?

Reverend D'ORLANDO. I do not know Homer Chase.

Mr. ARENS. Abraham Welanko?

Reverend D'ORLANDO. I do not recall the name.

Mr. ARENS. Have you been contacted by any person known by you to be a Communist since you have been in New Orleans?

(The witness conferred with his counsel.)

Reverend D'ORLANDO. My only knowledge of anyone in New Orleans who has in any way been in any associations is only through a hearing which this committee conducted in New Orleans a year ago.

Mr. RAND. Your own.

Reverend D'ORLANDO. Such a person would be Dr. William Sorum who testified in the hearing that he had been a Communist.

Mr. ARENS. What was the nature of your connection with him?

Reverend D'ORLANDO. Dr. Sorum was a member of my church.

Mr. ARENS. You have told us, Reverend D'Orlando, of your contributions since 1945 for Communist Party purposes or for Communist Party literature. Have you at any time since 1945 taken any overt steps against the Communist Party?

It is obvious that contributions would assist the party since 1945; have you done anything against the party since 1945?

Reverend D'ORLANDO. What do you mean by this? Would you define the question?

Mr. ARENS. I can think of a number of things. Have you given information to the intelligence agencies of this Government against the Communist Party since 1945?

Reverend D'ORLANDO. This presumes that I would have knowledge of the Communist Party, which I do not.

Mr. ARENS. Have you condemned the Communist Party since 1945? (The witness conferred with his counsel.)

Reverend D'ORLANDO. I do not recall, sir, of any occasion.

Mr. ARENS. Mr. Chairman, I respectfully suggest that would conclude the interrogation of this particular witness. I would suggest if the chairman wishes that we might go into a closed session and that the witness may be excused.

Mr. RAND. Before the committee does that may I ask two things, Mr. Chairman?

The CHAIRMAN. All right.

Mr. RAND. That this telegram together with all the signers of that appear in the record?

The CHAIRMAN. We will decide on that later.

(Off the record.)

Mr. RAND. May I also request in the event we do not come back here, because I do not know whether we will or not, that Rev. D'Orlando be allowed the privilege at his own expense if he so desires to purchase a copy of this transcript?

The CHAIRMAN. Oh, yes. We will see that he receives a copy.

You are excused.

(Whereupon, at 10:55 a. m., the witness and his two counsel left the hearing room.)

Mr. ARENS. Off the record.

(Whereupon, at 11:05 a. m., Friday, March 14, 1958, the committee recessed.)

INVESTIGATION OF COMMUNIST ACTIVITIES IN THE NEW ENGLAND AREA—PART 3

THURSDAY, MARCH 20, 1958 (Continued)

AFTERNOON SESSION

(Committee members present: Representatives Doyle and Kearney.)

Mr. DOYLE. The committee will please come to order. And let the record show that General Kearney of New York is present on my right and I am Doyle of California, acting as subcommittee chairman.

May there be incorporated in the record the telegram from Francis E. Walter, chairman, reconstituting the subcommittee of three, Mr. Moulder, Mr. Doyle and Mr. Kearney. Under our rules two out of three is a quorum. Therefore a quorum is present and we will proceed.

(The telegram referred to follows:)

[Telegram]

MARCH 20, 1958.

Mr. RICHARD ARENS,

The Parker House, 60 School Street, Boston, Mass.:

I am today reconstituting subcommittee to be composed of Congressman Morgan M. Moulder, as chairman, Congressmen Doyle and Kearney to continue the hearings in Boston.

FRANCIS E. WALTER, *Chairman.*

Mr. ARENS. Mr. Arnold Schwartz, kindly come forward and remain standing while the chairman administers an oath to you.

Mr. DOYLE. The pictures will be taken, please, before he takes the oath.

Mr. Schwartz, would you please raise your right hand?

Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth so help you God?

Mr. SCHWARTZ. I do.

Mr. DOYLE. Thank you. You will take the witness chair.

TESTIMONY OF ARNOLD SCHWARTZ, ACCOMPANIED BY COUNSEL, EDWARD BARSHAK

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. SCHWARTZ. Arnold Schwartz, New York City, and I am an engineer.

Mr. ARENS. Where are you employed, Mr. Schwartz?

Mr. SCHWARTZ. Sonotone Corporation. Sonotone Corporation, New York State.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. SCHWARTZ. Yes, sir.

Mr. ARENS. And you are represented by counsel?

Mr. SCHWARTZ. That is right.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. BARSILAK. Edward Barshak, 73 Tremont Street, Boston.

Mr. ARENS. Where and when were you born, sir?

Mr. SCHWARTZ. New York City on July 16, 1926.

Mr. ARENS. And give us if you please, a word about your education.

Mr. SCHWARTZ. Well, I graduated City College in 1949. I attended Harvard Law School for one year, 1950, and subsequently went back to City College and finished an electrical engineering course at City College.

Mr. ARENS. When did you complete your formal education at City College?

Mr. SCHWARTZ. I am still attending at present.

Mr. ARENS. What degree did you receive in 1949, please sir?

Mr. SCHWARTZ. A B.S.

Mr. ARENS. Now, kindly tell us the principal employments which you have had since you acquired your B. S. degree in 1949.

Mr. SCHWARTZ. Well, I have been employed principally in the electronics industry.

Mr. ARENS. Where was your first job?

Mr. SCHWARTZ. I worked for Philco Television in New York City.

Mr. ARENS. Beginning when, please, sir?

Mr. SCHWARTZ. That was in 1949.

Mr. ARENS. And for how long did this employment endure?

Mr. SCHWARTZ. That was about six months.

Mr. ARENS. Then your next employment, please, sir?

(The witness conferred with his counsel.)

Mr. SCHWARTZ. I respectfully decline to answer that question on the grounds of the first and fifth amendments.

Mr. KEARNEY. I did not get that answer.

Mr. SCHWARTZ. Respectfully, I decline to answer the question on the grounds of the first and fifth amendments.

Mr. ARENS. Where was your next employment?

Mr. SCHWARTZ. I decline to answer the question on the ground—

Mr. ARENS. —the geographical location of your next employment, in what state or city?

Mr. SCHWARTZ. I decline to answer that question.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question as to the geographical location of his next employment.

Mr. DOYLE. I believe it is clearly pertinent and you are instructed to answer. It is a matter of identity.

Mr. SCHWARTZ. I decline to answer the question on the grounds of the first and fifth amendments.

Mr. ARENS. How long did your next employment endure?

Mr. SCHWARTZ. I decline to answer that question on the same grounds.

Mr. ARENS. What was the next succeeding employment after the employment concerning which you are reluctant to talk?

Mr. SCHWARTZ. I decline to answer that question on the same grounds.

Mr. ARENS. Let us go backwards, then, how long has your present employment endured?

Mr. SCHWARTZ. About a year. About one year.

Mr. ARENS. At the Sonotone Corporation?

Mr. SCHWARTZ. That is right.

Mr. ARENS. And what employment did you have prior to your present employment?

Mr. SCHWARTZ. I worked for Bendix Aviation in New Jersey.

Mr. ARENS. In what capacity?

Mr. SCHWARTZ. As an engineer.

Mr. ARENS. Over what period of time?

Mr. SCHWARTZ. That was about a period of four months.

Mr. ARENS. And the employment which immediately preceded it?

Mr. SCHWARTZ. That was radio engineering labs in New York City.

Mr. ARENS. And over what period of time did that employment endure?

Mr. SCHWARTZ. About eight months, roughly.

Mr. ARENS. And then let us continue going backwards, if you please, sir.

Mr. SCHWARTZ. Yes.

Mr. ARENS. What was your next employment in reverse order?

Mr. SCHWARTZ. McLaughlin Research Corporation.

Mr. ARENS. What is the nature of the business?

Mr. SCHWARTZ. They are a technical writing company. I was employed as a technical writer with them.

Mr. ARENS. How long were you employed there?

Mr. SCHWARTZ. About half a year.

Mr. ARENS. Let us keep on going backward. What was your next employment?

Mr. SCHWARTZ. Laurel Electronic Corporation. That is in New York City.

Mr. ARENS. How long did that employment endure?

Mr. SCHWARTZ. About two years.

Mr. ARENS. Then help me now and tell me where we are on the calendar.

Mr. SCHWARTZ. Well, I decline to answer that question.

Mr. ARENS. I say, where are we on the calendar?

Mr. SCHWARTZ. Oh. I see. I am sorry. That is about 1952.

Mr. ARENS. All right. Is there any employment between 1949 and 1952 concerning which you can tell us without revealing information which in your judgment might be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. SCHWARTZ. I respectfully decline to answer that question.

Mr. ARENS. Have you ever lived in Massachusetts?

Mr. SCHWARTZ. Yes, I have.

Mr. ARENS. When did you live in Massachusetts?

(The witness conferred with his counsel.)

Mr. SCHWARTZ. I lived in Boston about a year.

Mr. ARENS. Is there any other place in Massachusetts where you have lived?

Mr. SCHWARTZ. I decline to answer that question on the grounds of the first and fifth amendments.

Mr. DOYLE. I instruct you to answer the question, Witness. You volunteered to answer the question that you lived in Massachusetts. Therefore as a matter of identity it is pertinent and I instruct you to answer it.

Mr. SCHWARTZ. I decline to answer the question on the same grounds.

Mr. ARENS. During what period of time did you live in Boston?

Mr. SCHWARTZ. That was 1949 and 1950.

Mr. ARENS. Where were you employed when you lived in Boston?

Mr. SCHWARTZ. I went to school during that period of time.

Mr. ARENS. Where were you living?

Mr. SCHWARTZ. In Boston itself.

Mr. ARENS. Did you ever live in a community in Massachusetts the pronunciation of which I may not be too good at—it is Acushnet.

Mr. SCHWARTZ. I decline to answer that question.

Mr. ARENS. Why?

Mr. SCHWARTZ. I decline to answer that question.

Mr. ARENS. Mr. Chairman, I respectfully suggest this—

Mr. SCHWARTZ. I decline to answer that question on the grounds of the first and fifth amendments.

Mr. ARENS. Do you honestly apprehend, sir, if you told this committee truthfully while you are under oath whether or not you ever lived in Acushnet, Massachusetts, you would be supplying information which might be used against you in a criminal proceeding?

Mr. SCHWARTZ. I decline to answer that question on the grounds of the first and fifth.

Mr. DOYLE. I instruct you to answer, Witness. It is pertinent on the matter of identity. You, yourself, opened up the area as a result of your volunteering that you had lived in Massachusetts. I instruct you to answer it.

Mr. SCHWARTZ. I decline to answer the question on the grounds of the first and fifth amendments.

Mr. ARENS. For the purpose of identification kindly give us your wife's name.

(The witness conferred with his counsel.)

Mr. SCHWARTZ. Her name is Rosaline Schwartz.

Mr. ARENS. Have you ever been employed by a Cameo Curtain Company?

Mr. SCHWARTZ. I decline to answer that question on the grounds of the first and fifth amendments.

Mr. ARENS. Have you ever been employed at any mills in the greater Boston area?

Mr. SCHWARTZ. I decline to answer that question on the same grounds.

Mr. ARENS. Have you ever been employed in any mills in the New Bedford area?

Mr. SCHWARTZ. I decline to answer that question on the same grounds.

Mr. ARENS. I should like if you please, sir, to display to you an original copy of an application for employment dated February 3, 1951, signed in pencil by Arnold Schwartz, in which the applicant lists certain information and, in the process of listing his education,

says that he has been to grammar school and to high school; but the other part of this section of the application, where inquiries are posed respecting college education or any other higher education, is all blank. We also see on this particular application the question: "Are you a member of the Communist Part or affiliated in any way with such party?" And there are two blanks afterwards. One says "Yes" and the other says "No." And this application has "No" marked. Then we also see this, "Are you a member of or do you support any organization that believes in or teaches the overthrow of the United States Government by force or by any illegal or unconstitutional methods?" And we see "Yes" and "No" after that and "No" is marked and the signature appears "Arnold Schwartz."

If you please, sir, kindly examine this document being exhibited to you and see if you would not accommodate the Committee on Un-American Activities by verifying the authenticity of that document and telling this committee whether or not that document bears a true and original signature by yourself.

(The document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. SCHWARTZ. I respectfully decline to answer that question on the grounds of the first and fifth amendments.

Mr. ARENS. Do you honestly apprehend, sir, that if you told this committee truthfully whether or not this is your signature on this document which I have displayed to you, you would be supplying information which might be used against you in a criminal proceeding?

Mr. SCHWARTZ. I decline to answer that question on the same grounds.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer.

Mr. DOYLE. I order and direct you to answer that question, Witness. It is very pertinent under the rulings of the court.

I might say that the committee is obligated to instruct the witness to answer if the committee anticipates ever going into court on a contempt matter. We have to instruct the witness to answer before we can proceed further.

I instruct you to answer that question.

Mr. SCHWARTZ. I decline to answer on the grounds of the first and fifth amendments.

Mr. ARENS. I put it to you as a fact and ask you, now while you are under oath, to affirm or deny the fact that this is an application which you did file with the Wamsutta Mills for employment for the purpose of being a colonizer for the Communist conspiracy. If that is not true, sir, please deny it while you are now under oath.

(The witness conferred with his counsel.)

Mr. SCHWARTZ. I decline to answer that question on the same grounds.

Mr. DOYLE. In other words, Mr. Arens, here is another case where that man who signed that is deliberately concealing the fact from a mill that he holds a Bachelor of Science degree.

That is quite the pattern of the Communist colonizers in this country.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the document which I have displayed to the witness be appropriately marked and incorporated by reference in this record.

Mr. DOYLE. It will be so marked.

(Document marked "Schwartz Exhibit No. 1" and retained in committee files.)

Mr. ARENS. Mr. Schwartz, kindly tell the Committee on Un-American Activities if you recollect what your social security number is.

Mr. DOYLE. He has it in his pocket no doubt.

(The witness conferred with his counsel.)

Mr. SCHWARTZ. I respectfully decline to answer that question on the grounds of the first and fifth amendment.

Mr. ARENS. Why didn't you tell the Wamsutta Mills when you made application for employment about all this higher education you had, at City College and Harvard, and the technical courses which you had taken and your scholastic achievements? Was there something you wanted to withhold from them?

Mr. SCHWARTZ. I decline to answer that on the same grounds.

Mr. ARENS. Did you gain employment at the Wamsutta Mills?

Mr. SCHWARTZ. I decline to answer that question on the same grounds.

Mr. ARENS. On these questions at the bottom part of this application, are these responses truthful or are they not truthful?

Mr. SCHWARTZ. I decline to answer that question on the same grounds.

Mr. ARENS. Do you know a gentleman by the name of Armando Penha?

Mr. SCHWARTZ. I decline to answer that question on the same grounds.

Mr. ARENS. Mr. Penha testified yesterday that for a great number of years, I believe about 8 years, he was undercover agent in the Communist conspiracy for the purpose of procuring information to protect this Nation against this conspiracy. While he was a member of this conspiracy reporting information to the intelligence agencies of this Government he knew you, Arnold Schwartz, as a colonizer, a colonizer who had been employed at the Wamsutta Mills for the purpose of penetrating that industrial establishment at the behest of the Moscow-controlled conspiracy. That is a pretty serious charge to make against a man, isn't it? Do you think that is a pretty serious charge to make against a man?

(The witness conferred with his counsel.)

Mr. BARSILAK. Would you excuse us a moment, Mr. Arens?

Mr. ARENS. Yes, sir.

(The witness conferred with his counsel.)

Mr. SCHWARTZ. I decline to answer that question on the grounds of the first and fifth amendments.

Mr. ARENS. Maybe you do not know what you are declining here. I just asked you if you think that is a pretty serious charge to level against a man. He is in the underground apparatus of a foreign-controlled conspiracy to overthrow the Nation, under whose flag he obtained protection. Don't you think that is a kind of serious charge to make against a man? Would you want to express yourself on that, or am I probing into your thoughts?

Mr. SCHWARTZ. I decline to answer that on the same grounds.

Mr. ARENS. We want to afford you now, sir, while you are under oath, subject to the possibility of pains and penalties of perjury to which Mr. Penha was subjected, to deny that you have been and are now a member of the underground conspiracy of the Communist Party.

(The witness conferred with his counsel.)

Mr. SCHWARTZ. I decline to answer that question on the same grounds.

Mr. ARENS. Do you know whether or not the Wamsutta Mills had Army contracts?

Mr. SCHWARTZ. I decline to answer that question on the same grounds.

Mr. ARENS. Have you ever served in the Armed Forces of this country?

Mr. SCHWARTZ. Yes, I have.

Mr. ARENS. Over what period of time?

Mr. SCHWARTZ. 1944 to 1946.

Mr. ARENS. Where did you serve, please, sir?

Mr. SCHWARTZ. Part of the time in this country and part of the time in the Philippine Islands.

Mr. ARENS. Did you obtain a commission?

Mr. SCHWARTZ. No, I was a second class petty officer.

Mr. ARENS. Did you receive an honorable discharge?

Mr. SCHWARTZ. Yes, I did.

Mr. ARENS. During any time of your service in the Army were you a member of the Communist Party?

Mr. SCHWARTZ. No, I was not.

Mr. ARENS. When were you discharged from the Army?

Mr. SCHWARTZ. 1946. In June—July, rather, yes.

Mr. ARENS. Were you a member of the Communist Party at any time during the year 1946?

(The witness conferred with his counsel.)

Mr. SCHWARTZ. Could you repeat that question, please? I am sorry. I just lost it.

Mr. ARENS. Were you a member of the Communist Party at any time during 1946?

Mr. SCHWARTZ. No, I was not.

Mr. ARENS. Were you a member of the Communist Party at any time during 1947?

Mr. SCHWARTZ. No, I was not.

Mr. ARENS. 1948?

Mr. SCHWARTZ. No, I was not.

Mr. ARENS. 1949.

Mr. SCHWARTZ. I decline to answer that question on the grounds of the first and fifth amendment.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. SCHWARTZ. No, I am not.

Mr. ARENS. Are you under Communist Party discipline?

Mr. SCHWARTZ. No, I am not.

Mr. ARENS. Are you in the Communist Party underground?

Mr. SCHWARTZ. No, I am not.

Mr. ARENS. Have you been a member of the Communist Party at any time during 1958?

Mr. SCHWARTZ. No, I have not.

Mr. ARENS. 1957?

Mr. SCHWARTZ. No, I have not.

Mr. ARENS. 1956?

Mr. SCHWARTZ. No, I have not.

Mr. ARENS. 1955?

Mr. SCHWARTZ. No, I have not.

Mr. ARENS. 1954?

Mr. SCHWARTZ. I decline to answer that question.

Mr. ARENS. Have you ever been expelled from the Communist Party?

Mr. SCHWARTZ. I decline to answer that question.

Mr. ARENS. Have you ever resigned from the Communist Party?

(The witness conferred with his counsel.)

Mr. SCHWARTZ. I decline to answer that question on the grounds of the first and fifth amendments.

Mr. ARENS. Are you now against the Communist Party?

(The witness conferred with his counsel.)

Mr. SCHWARTZ. I decline to answer that question on the grounds of the first and fifth amendment.

Mr. ARENS. Do you presently have information concerning people who to your certain knowledge are, or have in the course of the last three or four years been, in the Communist conspiracy in the New England area?

(The witness conferred with his counsel.)

Mr. BARSHAK. You say three or four years? Did you say three or four years, sir?

Mr. ARENS. Yes, Counsel.

Mr. SCHWARTZ. I decline to answer that question on the grounds of the first and fifth amendments.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. DOYLE. General Kearney?

Mr. KEARNEY. No questions.

Mr. DOYLE. I have no questions.

The witness is excused.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. Paul Rosenkrants.

Kindly come forward, Mr. Rosenkrants, and remain standing while the chairman administers an oath to you.

Mr. DOYLE. Will the witness please raise his right hand.

Do you solemnly swear you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ROSENKRANTS. I do.

Mr. DOYLE. Thank you. Take the witness chair.

TESTIMONY OF PAUL S. ROSENKRANTS,¹ ACCOMPANIED BY COUNSEL, RICHARD S. MILSTEIN

Mr. ARENS. Would you kindly identify yourself by name, residence, and occupation?

Mr. ROSENKRANTS. Paul Rosenkrants, 27 Madison Avenue, Springfield, Massachusetts, student.

¹ Voucher for witness fee signed Paul "S." Rosenkrants.

Mr. ARENS. You are appearing here today, Mr. Rosenkrants, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. ROSENKRANTS. I am.

Mr. ARENS. And you are represented by counsel?

Mr. ROSENKRANTS. I am.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. MILSTEIN. Richard S. Milstein. I am associated in the firm of Ely, King, Kingsbury and Corcoran, Springfield, Massachusetts.

Mr. ARENS. Where and when were you born, Mr. Rosenkrants?

Mr. ROSENKRANTS. I was born in 1916 in Russia.

Mr. ARENS. And when did you gain admission into the United States for permanent residence?

Mr. ROSENKRANTS. In the year 1932.

Mr. ARENS. You are a derivative citizen?

Mr. ROSENKRANTS. I am.

Mr. ARENS. Give us, if you please, a word about your formal education.

Mr. ROSENKRANTS. I am now a senior in Springfield College about to be graduated this June.

Mr. ARENS. Give us, if you please, sir, a word about the principal employments you have held in this country since you reached adulthood.

Mr. ROSENKRANTS. I will try to work it backwards. That will be easier for me to remember.

At the present time I am a full-time student. Prior to that I was a salesman of baby equipment. Prior to that I worked in Westinghouse Corporation in Springfield. Prior to that I was in—I worked in a rubber factory in Chelsea, Massachusetts. Prior to that I was a seaman and, as a seaman, I held many jobs and it would be rather difficult for me to try and recall them all.

Mr. ARENS. Did you ever serve on the *S. S. McAllister Victory*?

Mr. ROSENKRANTS. I believe I did.

Mr. ARENS. In what capacity?

Mr. ROSENKRANTS. It was engine-room capacity. I don't remember what job. I held various jobs.

Mr. ARENS. Did you have any other assignment while you were on the *S. S. McAllister Victory* in 1946?

Mr. ROSENKRANTS. I do not understand the question.

Mr. ARENS. Well, did you have any other function that you performed on board the ship, other than to help run the ship?

Mr. ROSENKRANTS. Sorry. I still do not understand the question.

Mr. ARENS. Did you conduct Communist Party indoctrination courses aboard the *S. S. McAllister Victory* in 1946?

Mr. ROSENKRANTS. Sir, since I am not a Communist and since I have not been a Communist for some time, it makes me wonder of what pertinence this question which has been sometimes—I would be glad to discuss it with you. As a matter of fact, I do not feel that the question of my prior activities is a major secret. They were quite public. What I am concerned as to just—I don't recall the period of *McAllister Victory*.

Mr. ARENS. How long were you in the Communist Party?

Mr. ROSENKRANTS. Oh, a number of years.

Mr. ARENS. Beginning when?

Mr. ROSENKRANTS. Oh, I would say 1936.

Mr. ARENS. And ending when?

Mr. ROSENKRANTS. Well, the ending is a very difficult thing. As I recall the ending, it evidently differs with other people's recollection of the ending so I would just leave it at several years.

Mr. ARENS. Let's be a little more specific than that, if you please, sir.

Mr. ROSENKRANTS. Yes, sir.

Mr. ARENS. Did you disassociate yourself, or were you disassociated, from the Communist Party at any time during the course of the last five years?

Mr. ROSENKRANTS. Yes, sir.

Mr. ARENS. Were you out of the party in 1950?

Mr. ROSENKRANTS. Sir, I had studied, not just as a lawyer but as an individual who reads very carefully, the Watkins decision. I was very impressed with it. And I feel that the question which you are asking me now is actually a question of association, as involved in the first amendment. More than that, I would really prefer not to be pinned down to the specific year because of the reason I already expressed. There seems to be quite a discrepancy of what I recall and what someone else recalls.

Mr. ARENS. We will do it my way, if you please, sir.

Mr. ROSENKRANTS. Yes.

Mr. ARENS. Where did you join the Communist Party?

Mr. ROSENKRANTS. In New York City.

Mr. ARENS. What cell or unit did you join?

Mr. ROSENKRANTS. It would be hard for me to remember. It is quite a while.

Mr. ARENS. Were you a member-at-large or attached to a cell?

Mr. ROSENKRANTS. No, I was attached to a cell in 1936, but however I feel to discuss with you the organization—to discuss me, the fact I was a Communist, I am willing. To discuss the fact that I was attached to the group and that would be to discuss the fact which I feel falls under the whole first amendment section.

Mr. ARENS. If you had been in a narcotics ring, peddlers, selling narcotics, to debauch the American people, would you feel the same way?

Mr. ROSENKRANTS. Definitely not.

Mr. ARENS. You feel there is a distinction between a Communist and his objectives and that of a narcotics man?

Mr. ROSENKRANTS. I do, sir. All the time I was in the Communist Party I never committed an act violating Federal laws, nor do I know of anyone else who did, so obviously I would feel differently about that than I would about—

Mr. ARENS. Do you know that your Government, through your Congress, has found the Communist Party of the United States to be part and parcel of an international conspiracy controlled from Moscow? A conspiracy, which from 1917 to 1924 alone, killed off of their own countrymen 12,000,000 people by assassinations, executions, and famines; that in the last 30 years, the average population of the slave labor camps of the Soviet Union has been, the annual population, between 12 and 13 million people; that in Red China alone, an average estimate, a conservative estimate of 20 million human beings have had

their lives snuffed out in that process, the ascendancy of this conspiracy. Today this conspiracy controls 900 million people on this globe, approximately a third of the people on this globe; that today this conspiracy has as its Number One target the United States of America; that the Soviet Union and its satellites, with 25 million agents strung around this world in a deadly fifth column, are seeking to destroy by every means possible the Nation under whose flag you obtain protection; and that you, sir, were in an organization for a number of years, by your own testimony here, which is part and parcel of that international conspiracy and you are now in the presence of a congressional committee seeking to procure information respecting the function and operation of that conspiracy in the United States so that this committee can return to Washington, D. C. and use that information, in connection with other information we have acquired elsewhere in the Nation, to appraise legislation designed to meet this awful Godless threat?

Now, sir, please tell this committee the first cell to which you were attached in the Communist Party in the United States.

Mr. ROSENKRANTS. Sir, I am very glad you made the statement you made. I feel that I have very good reasons to be ashamed of my membership in the Communist Party.

Mr. ARENS. It is not our purpose to bring you here to shame you, sir. It is our purpose to bring you here to see if we can elicit from you information respecting the operation of this conspiracy. You and I have never seen each other or talked together before, have we?

We want to talk about, if you please, sir, on your association and membership in the Communist Party, the part of the information which you can supply to this committee, and I implore you to do so.

Mr. ROSENKRANTS. Sir, kindly let me finish what I started to say.

Mr. ARENS. Proceed.

Mr. ROSENKRANTS. The reason for me feeling the way that I do is that I find it very difficult to understand the fact that over these many years I had been involved in an organization which has such disregard for individuals. I feel that the sacred rights of an individual are the things which I was seeking, and which many other people were seeking as young people, and which I seek now. In the Communist Party that was lost. I feel that what has obviously taken place all over the world wherever the Communists were in power is also very much against the rights of those individuals.

But feeling as I do about that, I could not possibly, my conscience would not let me, to go into any area which would subject individuals—

Mr. ARENS. Do you think, sir, this FBI agent, Penha, who sacrificed 8 years of his life, who now is almost financially destitute, who risked his own life, that this young lady here, this mother of these 2 children, who over the course of the last several years penetrated this Godless conspiracy to get information for this Government, did an unconscionable thing when they took an oath before God here in this Federal Court Building and revealed to this committee and to the American people via their testimony names of people who are now, or have in the recent past been, engaged in the operation? Is that your approach? Is that your analysis of the situation?

Mr. ROSENKRANTS. I would tell you that Mr. Penha and Mrs. Foster had to be guided by their conscience. I have to be guided by

mine. And I feel that my conduct, guided by my conscience, is the kind of a conduct that Chief Justice Warren in his wonderful decision, the decision which showed the kind of human being that he is, the kind of understanding that he has of people and what makes people, this is what he had in mind.

Mr. ARENS. Don't you feel you owe a duty to your Government, you having been in a conspiracy, whether you recognized it or not, to come forward and give such information as you possess respecting the operation of that conspiratorial network, the names of people who are in there? Don't you trust your Government to use that in a manner and in a form that would be fair and equitable and just, in a manner that would help preserve and defend this Constitution that this entity, of which you are a part, is dedicated to destroy?

Mr. ROSENKRANTS. Sir, I have great confidence in my Government.

Mr. ARENS. Then, come forward, please, sir, and tell us the name of the last entity of the Communist Party to which you were attached.

Mr. ROSENKRANTS. I have such great confidence in my Government that my conduct here will be well understood by the Government and accepted.

Mr. ARENS. Mr. Chairman, I respectfully suggest this record show an order and direction to the witness to respond to the question as to the name and the identification of the last entity of the Communist Party to which he was attached.

Mr. DOYLE. Mr. Witness, I order and direct you to answer the question as directed to you by our director. I believe it is pertinent and proper for you to answer.

(The witness conferred with his counsel.)

Mr. ROSENKRANTS. I respectfully decline to answer this on the grounds of the way I understand the first amendment to be operative under the Watkins decision.

Mr. ARENS. Let the record be clear. Are you or are you not invoking—I think I understand, but I want the record to be clear—are you or are you not invoking those provisions of the fifth amendment of the Constitution which endow you with the privilege of not incriminating yourself?

Mr. ROSENKRANTS. I am not invoking that.

Mr. ARENS. Now, Mr. Chairman, so this record may be abundantly clear may I say that the information we have and the testimony we have procured from Mr. Penha is to the effect that, as late as 1955, this particular witness was identified with the Metals Commission of the Communist Party of New England, the New England District Metals Commission; and, as the chairman knows and as this committee knows, the operations of that particular Commission in penetrating industrial establishments, in undertaking processes of recruitment, in undertaking to solicit information respecting the heavy industry of this Nation that it might be crippled at the will of Moscow, is of vital importance in the legislative function of this committee and of the United States Congress.

Now, sir, with that explanation, I implore you to answer the question.

Mr. ROSENKRANTS. I respectfully decline to answer the question on the grounds my conscience will not permit me.

Mr. ARENS. Now, Mr. Chairman, so the record may be abundantly clear, I suggest just one more direction to this witness to answer the question. You understand the question, Mr. Witness?

Mr. ROSENKRANTS. I believe I do. Do you wish to restate? It might be clear. I believe I understand.

Mr. ARENS. I better make it absolutely clear.

Mr. ROSENKRANTS. Go ahead.

Mr. ARENS. I don't want, a year or two years from now, to have some questions arise on this question.

Mr. ROSENKRANTS. Yes, sir.

Mr. ARENS. I ask you the name of the last entity to which you, sir, were attached and if you give me the name of the last entity, I propose to ask you about the functions of that entity. It is my understanding that one of those entities was the New England District Metals Commission. If that is the last entity, or one of the last entities, I intend to pursue that thoroughly here today to get as much information as possible so that this committee of Congressmen of the United States may take that information back to Washington to use it in an appraisal of proposed legislation.

Now, with that understanding, I implore you to answer this question: Please, sir, tell us the name of the last entity within the Communist Party to which you were attached.

Mr. ROSENKRANTS. Sir, I understand the question and I regret it very much—really I regret it very much—but I feel that to go into this whole matter would be in violation of the first amendment of the Constitution as I understand it, and therefore I decline to answer the question.

Mr. ARENS. And you are not invoking the provisions of the fifth amendment?

Mr. ROSENKRANTS. I am not.

Mr. ARENS. Which endow you with the privilege of not incriminating yourself?

Mr. ROSENKRANTS. Having committed no criminal acts, I feel it would be morally wrong for me at this point to invoke the fifth amendment.

Mr. ARENS. I understand.

Now, Mr. Chairman, I respectfully suggest that the record may be abundantly clear so that the blind can see that the witness be ordered and directed to answer that question.

Mr. DOYLE. Mr. Witness, I order and direct you to answer the question last asked you by our director. You said you understood his question.

Mr. ROSENKRANTS. Yes, sir.

Mr. DOYLE. I direct you to answer that question.

Mr. ROSENKRANTS. I decline to answer the question on the grounds of my conscience and my understanding of the first amendment.

Mr. ARENS. Mr. Chairman, I see that there would be no fruitful purpose served in me asking him other questions of a similar vein at this time about other activities, of which we have a suggestion that this man was in the recent past engaged in. So I, therefore, respectfully suggest that as of now that will conclude the staff interrogation of this witness.

Mr. DOYLE. General Kearney, have you any questions?

Mr. KEARNEY. I have no questions.

Mr. DOYLE. I have one question, Witness, of you.

Mr. ROSENKRANTS. Yes.

Mr. DOYLE. You volunteered that, for a number of years, you were a member of the Communist Party.

Mr. ROSENKRANTS. Yes, sir.

Mr. DOYLE. You volunteered that you are not now and have been out of it, I think, according to you—since what year?

Mr. ROSENKRANTS. Several years.

Mr. DOYLE. Several years?

Mr. ROSENKRANTS. Yes, sir.

Mr. DOYLE. Is that as much as five years?

Mr. ROSENKRANTS. Sir, faced with the fact that my recollection as to when I left the Communist Party is at sharp variance with other testimony here, I prefer to just leave it at several years.

Mr. DOYLE. I know, Witness, but you know as well as I do that the word "several" is rather ambiguous and uncertain.

Mr. ROSENKRANTS. Yes, sir.

Mr. DOYLE. I practiced law 30 years before I came to Congress.

Mr. ROSENKRANTS. I am not a lawyer.

Mr. DOYLE. Before I came to Congress—and I would just like to know what you mean by "several." Do you mean one or do you mean more than one?

Mr. ROSENKRANTS. I mean more than one.

Mr. DOYLE. Do you mean three?

Mr. ROSENKRANTS. Sir, I will have to decline to answer that question.

Mr. DOYLE. Well, I will yield to General Kearney.

Mr. KEARNEY. Were you a member of the Communist Party in 1955?

Mr. ROSENKRANTS. I will decline to answer that question, sir.

Mr. KEARNEY. Were you a member of the Party in 1956?

Mr. ROSENKRANTS. I will decline to answer that question.

Mr. KEARNEY. In 1957?

Mr. ROSENKRANTS. I will decline to answer that, sir.

Mr. KEARNEY. Now, you spoke about your conscience bothering you. Is that your Communist conscience?

Mr. ROSENKRANTS. No, sir. No, sir. Not by any means.

Mr. KEARNEY. That is all.

Mr. DOYLE. Witness, a minute ago you said you had been out of the party for several years. Now, in answer to General Kearney, you claimed your privilege when he asked you if you were out of the party in 1955, 1956, and 1957.

Mr. ROSENKRANTS. Sir, if I may—just a second.

Mr. DOYLE. How do you account for that? What do you expect me to believe your testimony to be?

(The witness conferred with his counsel.)

Mr. ROSENKRANTS. Sir, on this whole matter I have been out—I have not been a Communist for a number of years. Oh, I would say in excess of five.

Mr. DOYLE. All right.

Mr. ROSENKRANTS. My breaking of the organizational connection with the Communist Party has been for several years, and I would prefer to leave it at several years because of the difficulty for me that

this whole thing poses. I can state very—I see no purpose in following this.

Mr. DOYLE. Our director explained that we are an investigating committee of the United States Congress, seeking facts and information with reference to legislation.

Mr. ROSENKRANTS. Yes.

Mr. DOYLE. Now, since you straightened out that you meant several to be more than five years that you have been out of the party, I will ask you why you got out of the party. Now, just a minute. As long as you say your conscience hurts you and prevents you from naming people that you were in the party with, I will state that, as far as my question is concerned, I will not ask you to name the people; but I think if you have such a quantity and quality of conscience as you claim you have, that you will not hesitate to tell Congress why you got out of the party.

Mr. ROSENKRANTS. I will be very happy.

Mr. DOYLE. Is that a fair question?

Mr. ROSENKRANTS. I will be happy, sir.

Mr. DOYLE. Well, good. Now, go to it. Why did you get out?

Mr. ROSENKRANTS. Sir, this would really have to start with why did I join, because I got out, because after a long time—much longer than I could be proud of, the length of time does not favorably reflect on my judgment—I found that the party was working against the very things that I was looking for when I joined the party. I joined the party as quite a young man and I joined the party in years of depression. I joined the party, having been first subject to persecution outside of the United States in my own country, as a Jew; then finding the same kind of situation in Florida, where I originally went to school. Feeling the grave injustice of it and feeling the great size of the problem which faced me as an individual, and it seemed to me as society as a whole, I was looking for a solution. And the Communists came along and they had a solution that seemed to be the perfect solution, and this, really a very nice worked-out solution, misses one big point. And the big point is the individual human being, his dignity, the respect for him, his needs, and the reality of how people are.

Now, how is it that it took me so long to see that it is not so; that is very difficult to say. And as I said before, it certainly does not reflect well on my judgment, and I am ashamed of it.

Mr. ARENS. Would your conscience preclude you from telling us about your Communist Party activities in Panama?

Mr. ROSENKRANTS. Sir, there was no Communist Party activities by me in Panama.

Mr. ARENS. Did you attend Communist Party sessions in Panama?

Mr. ROSENKRANTS. The Panamanian Communist Party?

Mr. ARENS. Any kind of Communist sessions in Panama.

Mr. ROSENKRANTS. Sir, I was a seaman on an American ship which spent—I was on that ship for, oh, probably in excess of a year and a half, which was on a study down to Panama. I met with many seamen ashore, not just from the ship, and I probably met Communists, too. I attended no Panamanian Communist Party.

Mr. ARENS. Did you disseminate any Communist literature on the ship you engaged—

Mr. ROSENKRANTS. I certainly did.

Mr. ARENS. Beg pardon?

Mr. ROSENKRANTS. I certainly did.

Mr. ARENS. Can you tell us about the extent of dissemination by you of Communist Party literature on the ships?

Mr. ROSENKRANTS. I don't understand the question—the extent?

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. DOYLE. May I ask the witness one more question, please? Our director informed you what Mr. Penha testified to under oath.

Mr. ROSENKRANTS. Yes.

Mr. DOYLE. The fact he knew you as a member of the National Metals Commission of the Communist Party, the District Metals Committee. Did you hear him testify to that?

Mr. ROSENKRANTS. I did not hear Mr. Penha testify.

Mr. DOYLE. You heard our director say Mr. Penha had so testified yesterday under oath?

Mr. ROSENKRANTS. I did.

Mr. DOYLE. Was Mr. Penha telling the truth or was it false?

Mr. ROSENKRANTS. I decline to answer that question, sir, on the grounds——

Mr. DOYLE. If you had been out of the party more than five years and he testified recently he knew you in that capacity, he couldn't be telling the truth, could he? Either you or he are not telling the truth? Why don't you clear that up for us, if you think your conscience makes you tell the truth? Why don't you tell it?

(The witness conferred with his counsel.)

Mr. ROSENKRANTS. Sir, I decline to answer that question.

Mr. KEARNEY. What was that?

Mr. ROSENKRANTS. I decline to answer that question.

Mr. KEARNEY. Why?

Mr. ROSENKRANTS. I feel that it is leading into a discussion of my association with other people.

Mr. DOYLE. No. Now, let me make a proposition to you.

Mr. ROSENKRANTS. Yes, do.

Mr. DOYLE. I will make a proposition with you in order that you might satisfy your conscience, if that is what you are trying to satisfy.

Mr. ROSENKRANTS. Yes.

Mr. DOYLE. I will make this proposition with you in asking you this question. If you answer this question truthfully, the question I asked you, whether or not Mr. Penha was telling the truth or lying about you when he identified you as a member of that District Metals Commission, I will promise you that I will not ask you any other question. Is that fair?

All right, go to it. What does your conscience tell you to do?

Mr. ROSENKRANTS. My conscience tells me that to get involved in a battle with Mr. Penha on dates, I am afraid that I cannot do it.

Mr. DOYLE. Then the only difference between you and Penha is one of dates?

Mr. ROSENKRANTS. Yes, sir.

Mr. DOYLE. In other words, my 30 years of law practice would tell me that at one time you might have been a member of the Metals Commission, the way Penha testified, but you differ with him as to years, is that it?

Mr. ROSENKRANTS. Possibly.

Mr. DOYLE. Possibly.

Thank you very much.

Mr. KEARNEY. You haven't any doubt in your mind that Mr. Penha was testifying to the truth here, have you?

Mr. ROSENKRANTS. I did not read Mr. Penha's testimony. I am sure that Mr. Penha—

Mr. KEARNEY. I know all that. You are only telling the committee what you want to tell.

Mr. ROSENKRANTS. I am sure Mr. Penha told it the way he saw it.

Mr. KEARNEY. We have heard your type of witnesses before.

Mr. ROSENKRANTS. Yes, sir.

Mr. KEARNEY. You tell what you want to tell, and you hold back what you want to hold back.

Now, will you swear under oath that what Mr. Penha stated yesterday or the day before about you in his testimony is false?

Mr. ROSENKRANTS. I will decline to do that, sir.

Mr. KEARNEY. I thought you would. That is all.

Mr. DOYLE. There is a difference of years. That is the issue between these two gentlemen.

Thank you very much, Witness. You are excused, Mr. Rosenkrants. Thank you, sir.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. Robert Handman.

Kindly come forward.

Mr. DOYLE. I wish to say to General Kearney and the committee that yesterday Attorney Homans of Boston appeared.

Mr. HOMANS. Yes, sir.

Mr. DOYLE. Mr. Homans, I have been waiting to say this until I saw you in the courtroom.

The committee wants to thank you as a member of the Boston Bar and thank the Boston Bar for your appearance yesterday.

Mr. HOMANS. Yes, sir.

Mr. DOYLE. On behalf of the Boston Bar for that witness who claimed he couldn't hire a lawyer.

Mr. HOMANS. Thank you.

Mr. DOYLE. We want to thank the Boston Bar through you, if you will give them our appreciation.

Mr. HOMANS. I will convey your appreciation, Mr. Chairman.

Mr. DOYLE. Thank you very much.

Mr. ARENS. Mr. Handman.

Mr. DOYLE. Do you solemnly swear you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HANDMAN. I do.

TESTIMONY OF ROBERT HANDMAN, ACCOMPANIED BY COUNSEL, MARY M. KAUFMAN

Mr. ARENS. Please, sir, identify yourself by name, residence, and occupation.

Mr. HANDMAN. My name is Robert Handman. I live in New York City. I am an accountant.

Mr. ARENS. Where are you employed, please, sir?

Mr. HANDMAN. I am employed at the Sheridan Company, New York City.

Mr. ARENS. You are appearing today, Mr. Handman, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. HANDMAN. Yes.

Mr. ARENS. And you are represented by counsel?

Mr. HANDMAN. Yes, I am.

Mr. ARENS. Counsel, kindly identify yourself.

Miss KAUFMAN. My name is Mary M. Kaufman, of New York City.

Mr. ARENS. Where and when were you born?

Mr. HANDMAN. I was born in January, 1918, in New York City.

Mr. ARENS. And a word about your education.

Mr. HANDMAN. I completed a degree at City College in 1946 and I attended Columbia University for one year.

Mr. ARENS. Would it be convenient for you to keep your voice up a little bit, Mr. Handman.

Mr. HANDMAN. Yes, I can speak louder.

Mr. ARENS. Kindly do so, please.

Now, give us, if you please, the principal employments which you have had since you completed your formal education and if you will accommodate by giving the date again.

On what date did you complete your formal education, please, sir?

Mr. HANDMAN. I left Columbia University in June 1948.

Mr. ARENS. 1948? Now, will you give us the principal employments that you have had since that time?

(The witness conferred with his counsel.)

Mr. HANDMAN. I decline to answer that question on the grounds of the first and fifth amendment.

Mr. ARENS. Are you invoking those provisions of the fifth amendment which endow you with the privilege of not incriminating yourself?

Mr. HANDMAN. I am invoking that clause which prevents me from bearing testimony against myself, bearing witness against myself.

Mr. ARENS. What other name have you used besides the name of Robert Handman?

Mr. HANDMAN. I decline to answer that question on the grounds already stated.

Mr. ARENS. Have you ever used the name of Fred?

Mr. HANDMAN. I decline to answer that question on the grounds already stated.

Mr. ARENS. I put it to you as a fact, sir, and ask you to affirm the fact that your code name in the Communist conspiracy has been Fred. Please deny it while you are under oath if that is not true.

Mr. HANDMAN. I decline to answer that question on the grounds already stated.

Mr. ARENS. What was your next principal employment after this employment which you decline to tell us about?

Mr. HANDMAN. I have had my present employment for the past 3 years.

Mr. ARENS. Well, is that the employment which immediately followed the employment concerning which you decline to talk?

(The witness conferred with his counsel.)

Mr. HANDMAN. I decline to answer any questions with regard to my employment except for the question I just now answered, in regard to my present employment.

Mr. ARENS. Let us be clear on this, if you please, sir. Since you graduated or left Columbia University in 1948, has there been any employment in which you have been engaged up until the time of your present job with Sheridan Company, concerning which you can tell this committee without revealing facts which, in your judgment, might be used against you in a criminal proceeding?

(The witness conferred with his counsel.)

Mr. HANDMAN. I decline to answer any questions regarding any previous employment on the grounds of the first and fifth amendment.

Mr. ARENS. Do you know a man by the name of Charles Benson Childs?

Mr. HANDMAN. I decline to answer that question on the grounds already stated.

Mr. ARENS. I beg your pardon?

Mr. HANDMAN. I decline to answer that question on the grounds already stated.

Mr. ARENS. A year or so ago, we were interrogating Charles Benson Childs. I believe at that time we were down in North Carolina. I would like to read you a little of the testimony, if I may, please, sir.

I was interrogating the witness.

Q. Did he tell you with what division or unit of the National Committee of the Communist Party he was identified?

Mr. CHILDS. I do not recall that; no, sir. The district organizer, we called Bob at the party school.

Then we skip a little, and I say:

Q. Can you give us a further description of Handman and his activities or background?

Mr. CHILDS. He was the district organizer for the State of Virginia.

Q. He came in from Virginia to this Communist Party leadership training school; is that correct?

Mr. CHILDS. That is my understanding.

Did you ever use the name of Bob as a code name?

(The witness conferred with his counsel.)

Mr. HANDMAN. My name is Robert Handman, but I refuse to answer questions regarding code names.

Mr. ARENS. Did you ever live in the State of Virginia?

Mr. HANDMAN. I decline to answer that question on the grounds I already stated.

Mr. ARENS. Have you ever lived here in this state—by this state I mean Massachusetts, the Commonwealth of Massachusetts?

(The witness conferred with his counsel.)

Mr. HANDMAN. No, I haven't lived in this state.

Mr. ARENS. Have you ever worked in this state?

Mr. HANDMAN. No.

Mr. ARENS. Do you know a man by the name of Armando Penha?

Mr. HANDMAN. I decline to answer that question on the grounds already stated.

Mr. ARENS. Mr. Penha testified yesterday or the day before yesterday—within the course of the last two days, anyway—that while he was an undercover agent in the Communist Party, he knew you,

Robert Handman, as a Communist; that you were in the underground, an ardent Communist; that you were national coordinator of the Textile Commission operating out of New York City.

We want to give you an opportunity now, please, sir, to deny that very serious allegation respecting yourself. Do you care to avail yourself of that opportunity?

Mr. HANDMAN. I decline to answer that question on the grounds already stated.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. HANDMAN. I decline to answer that question on the grounds already stated.

Mr. KEARNEY. If you were not a member of the Communist Party at the present time, would you so state?

(The witness conferred with his counsel.)

Mr. HANDMAN. I decline to answer that question for the same reasons.

Mr. KEARNEY. Were you in the military service?

Mr. HANDMAN. Yes, I was.

Mr. KEARNEY. What period of time?

Mr. HANDMAN. I enlisted on January 7, 1942, in the United States Army. I was mustered out on April 6, 1946.

Mr. KEARNEY. An honorable discharge?

Mr. HANDMAN. I received an honorable discharge.

Mr. KEARNEY. That is all.

Mr. DOYLE. Have you any other questions, General Kearney?

Mr. KEARNEY. I have no further questions.

Mr. ARENS. Mr. Chairman, I wonder if we might have a two- or three-minute break to relax for a minute?

Mr. DOYLE. We will have a five-minute break.

Miss KAUFMAN. Is this witness excused?

Mr. DOYLE. Yes, the witness is excused.

(Brief recess.)

(Committee members present: Representatives Doyle and Kearney.)

Mr. DOYLE. The committee will reconvene and come to order after a five-minute recess. Let the record show that General Kearney, of New York, and Clyde Doyle, of California, are both present. Therefore, a legal subcommittee is present. Proceed, Mr. Arens.

Mr. ARENS. Mr. Elias Snitzer, kindly come forward.

Mr. DOYLE. Mr. Snitzer, will you please raise your right hand and be sworn.

Do you solemnly swear you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SNITZER. I do.

Mr. DOYLE. Thank you. Will you take the witness chair.

TESTIMONY OF ELIAS SNITZER, ACCOMPANIED BY COUNSEL, GERALD A. BERLIN

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. SNITZER. My name is Elias Snitzer. I live at 30 Burt Street, in Lowell, Massachusetts, and I am a physicist and teacher.

Mr. ARENS. You are appearing today—

Mr. SNITZER. Mr. Chairman——

Mr. ARENS. Excuse me. Let me get the record——

Mr. SNITZER. I should like——

Mr. ARENS. The formal record made, please, sir, and then we will hear you.

Mr. SNITZER. All right.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. SNITZER. Yes, that is correct.

Mr. ARENS. And you are represented by counsel?

Mr. SNITZER. That is correct.

Mr. ARENS. Counsel kindly identify himself.

Mr. BERLIN. Gerald A. Berlin, 30 State Street, Boston.

Mr. ARENS. Now, sir, you started to say something?

Mr. SNITZER. Yes. I understood from my attorney that, yesterday, the authorizing resolution constituting this subcommittee was read. I understand there was an authorizing resolution which was passed on January 15 and, for the sake of the record, I would appreciate that being read today for me and my attorney.

Mr. ARENS. Would it make any difference in the questions or answers that you give us, whether or not we read it again? It is rather voluminous and takes up time.

Mr. SNITZER. Well, what I would like to enter here is the question of pertinency. I have some real doubts about whether my being subpoenaed here is in any way pertinent to the purpose of the investigation, so I would like for the record a clear statement of the purpose of this investigation, if you please.

Mr. DOYLE. Mr. Arens can ably and briefly tell you again the pertinency, and we want to make it adequate so that you understand the pertinency of it. You have been in the courtroom all day, haven't you?

Mr. SNITZER. Yes, I have.

Mr. DOYLE. You heard the explanation of the pertinency of this investigation all day, and you heard several of them. Why do you want it repeated for your special benefit when you heard the others get the same explanation that you would get now? However, Mr. Arens, go ahead.

Mr. SNITZER. I should like to have it repeated for my special benefit.

Mr. ARENS. Let me sum——

Mr. DOYLE. Well, all right.

Mr. KEARNEY. Mr. Chairman——

Mr. SNITZER. It will only take a matter of minutes.

Mr. KEARNEY. Just one moment. Were you in the courtroom yesterday?

Mr. SNITZER. Part of the time, yes.

Mr. KEARNEY. Did you ask counsel yesterday for a copy of this resolution?

Mr. SNITZER. No, I did not.

Mr. KEARNEY. Did you ask for a copy of it today?

Mr. SNITZER. Did I ask for a copy of the resolution today?

Mr. KEARNEY. Yes.

Mr. SNITZER. No, I did not.

Mr. KEARNEY. Prior to now?

Mr. SNITZER. No, I did not.

Mr. KEARNEY. In other words, your actions would be more or less dilatory tactics, would they not?

Mr. SNITZER. No, they would not, certainly not. If you permit me to explain——

Mr. KEARNEY. Would you be satisfied if a copy of the resolution be handed to you?

Mr. SNITZER. I would like the resolution to be read for the sake of the record.

Mr. ARENS. Now, sir, we present you with a copy of the resolution which is two pages typed. And we will hesitate a few minutes while you read it.

Mr. KEARNEY. You don't have to read it.

Mr. SNITZER. Mr. Berlin, would you consider that to be satisfactory?

Mr. BERLIN. Yes, and I would like to have it marked for identification.

Mr. SNITZER. Thank you, Mr. Berlin.

Mr. KEARNEY. Mr. Chairman, the resolution is in the record, and I don't believe legally it is necessary to reread that resolution simply because this witness desires it. He has a copy of it now, and I move that we proceed.

Mr. SNITZER. My attorney informed me it would be satisfactory if the resolution not be read.

Mr. DOYLE. Even under the Watkins decision, we don't have to read it for his special benefit. He heard it yesterday.

Mr. SNITZER. I did not hear it yesterday.

Mr. DOYLE. You heard it explained by our counsel yesterday. You were in the courtroom part of the time, you said so, and you heard it today four or five times.

Mr. SNITZER. That is right. I did not hear any of the witnesses when they first came to the stand yesterday.

Mr. DOYLE. All right. Your counsel——

Mr. SNITZER. If my counsel advises me it is adequate and simply to have it marked for the record and simply put in the record, I will not request the authorizing resolution be read. In fact, that satisfies me now.

Mr. ARENS. The fact you have seen this lengthy resolution, will that change your testimony in any way and make you tell us material that you would not tell us otherwise?

Mr. SNITZER. You will have to wait and ask the question and find out.

Mr. ARENS. Are you now, and have you ever been, a member of the Communist Party?

Mr. SNITZER. I would like to explain the reason why I am going to answer that question, and now I definitely intend to answer. It is my own feeling that my thoughts and associations are entirely a matter of my own concern. They are a private matter guaranteed by the first amendment, the guarantee which was recently upheld in the Watkins case. However, it is a contradictory consideration, and that consideration arises from my present employment. I am teaching at the Lowell Technological Institute, a small school which, in my opinion, has a great future. However, because of this investigation

and because it is a State school, I can easily be harmed by this investigation. For that reason I am relaxing my principles, the principles mainly that no one has any right to inquire into my beliefs or associations—I relax them to the extent of discussing anything which has happened since I have been here at Lowell Technological Institute. I am——

Mr. ARENS. Would you relax them back past 1956 for us?

Mr. SNITZER. No, I will not.

Mr. ARENS. You won't relax your principles back past 1956?

Mr. SNITZER. That is correct. It is not relaxing back to 1956; it is relaxing them in such a way as to make it possible for the Lowell Technological Institute to come out of this investigation without any doubt concerning any member of its faculty. As I am fully aware of the fact——

Mr. ARENS. You understand we are not investigating Lowell Technological Institute. We have——

Mr. SNITZER. I am of the—I think this investigation will hurt Lowell Tech——

Mr. ARENS. When we investigate a Communist in labor, they say we are trying to bust unions; when we investigate Communists in some other nonsensitive organization, they say you are trying to bust the organization. When we find a Commie in a school they say you are after the school. Sir, our intent——

Mr. SNITZER. I don't say you are after the school.

Mr. ARENS. Our intent and purpose is not to investigate Lowell Institute.

Mr. SNITZER. I understand that.

Mr. ARENS. Or any educational institution, and we don't want any one brainwashed on that theory to think otherwise. Our sole and exclusive prerogative and function is to acquire information respecting Communist activities. And we intend to do so wherever they are, under whatever circumstances, and under whatever guise.

Now, sir, kindly tell us——

Mr. SNITZER. Mr. Chairman, may——

Mr. ARENS. Are you now, or have you ever been, a member of the Communist Party?

Mr. SNITZER. I am not now a member of the Communist Party.

Mr. ARENS. Have you ever been a member of the Communist Party?

Mr. SNITZER. I refuse to answer that question on the grounds it is invasion of my right of privacy and of association and thought.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question as to whether or not he has ever been a member of the Communist Party; and so there will be no possible misconstruction of the question, may I explain to him, to the point of ad nauseam on this record, that this Committee on Un-American Activities is in the process of acquiring information on which it may legislate or recommend legislation to the United States Congress for the purpose of protecting this country, its institutions, its colleges, its right to pursuit of truth in educational institutions, and the like. It is our information, sir, that you have, in the recent past, been a member of the Communist conspiracy; that you, sir, now have information respecting persons who have been in the recent past in the Communist conspiracy, penetrating educational institutions, penetrating all walks of life, undertaking to brainwash the young

people coming up, turning the processes of education of this great Republic into the Godless, atheist, conspiratorial operations from Moscow.

Now, sir, if you will give us that information, which we understand you possess, we will take that back to Washington. We will appraise that in connection with other information which we have in deliberating upon numerous provisions of laws or proposed laws pending before this committee, so that if the Congress of the United States, weighing that information, in its judgment feels the information warrants it, it may pass this legislation to protect this country against Communists, against Communist dupes, and against the operation of this Godless conspiracy which threatens the world.

Now, sir, please answer the question. Are you now, or have you ever been, a member of the Communist Party?

Mr. SNITZER. I just answered that I am not now a member of the Communist Party, nor have I been a member of the Communist Party for the full time that I have been teaching at Lowell Technological Institute. I refuse to answer concerning previous associations, and my refusal to answer is specifically because I feel this committee is, by far, the greatest danger to our American democratic freedom, our civil liberties.

Mr. KEARNEY. That is the perfect Commie line.

Mr. SNITZER. I would like to add further——

Mr. KEARNEY. That is word for word, every hearing I have been connected with, and throughout this country.

Mr. SNITZER. I have never engaged in any kind of subversive activity, any kind of illegal act in my life. I have no hesitation to discuss all of these matters with the press. In fact, I have already. Any questions you put to me, I would be perfectly willing to talk with the press immediately afterwards.

Mr. KEARNEY. While not under oath.

Mr. SNITZER. But I will not be compelled before a congressional committee to state my views or associations. This is a violation of the protection under the first amendment; and, furthermore, the only way in which I, as an individual, can protect the first amendment is to exercise it, and I propose to exercise it today.

Mr. KEARNEY. If you would stop making a speech for a few minutes, counsel could get in a few words and we might get some place.

Mr. ARENS. You realize when you talk to the press you are not under oath.

Mr. SNITZER. That is right. I rely on integrity.

Mr. ARENS. You realize when you talk to the press you are not subject to the pains and penalties of perjury, do you not?

Mr. SNITZER. I realize that and, as I say, I rely on my integrity which no one past and present——

Mr. ARENS. We are going to test your integrity in just a minute. We are not discussing that now. How long have you been at Lowell Institute?

Mr. SNITZER. I have been at Lowell Institute since September of '56.

Mr. ARENS. Did you, in the process of applying for your job there at Lowell Institute, exercise your integrity by telling the officials there of your past association, identification, affiliation in the Communist conspiracy?

Mr. SNITZER. When I had my original interview with the officials, the administration of Lowell Technological Institute made clear essentially three things. This was an interview which I deliberately called for, even though the job was offered to me in a telephone conversation prior to the interview. Those three things were the following: First, I had a past of left-wing activity.

Mr. ARENS. Did you say just left-wing activity or did you tell them Communist Party activity?

Mr. SNITZER. I did not specifically tell them Communist Party activity. However, if you wait just a moment—

Mr. ARENS. What was your integrity at that time?

Mr. SNITZER. —you will see as I answer this.

Mr. ARENS. Proceed, if you please, sir.

Mr. SNITZER. Essentially three things, as I said before: That I had a past of left-wing activity but I felt, as far as I was concerned, this was a closed book. Secondly, if I were ever investigated by an investigating committee, that there was a very good chance that I would use the fifth amendment. According to standards that exist today, this would probably have labeled me a Fifth Amendment Communist. However, today I have no intention of using the fifth amendment.

Mr. ARENS. Did you make—

Mr. SNITZER. And third—I am not finished yet—third, please—

Mr. ARENS. Excuse me. Go right ahead.

Mr. SNITZER. Third, I have no intention of getting in any kind of activity that would, in any way, reflect on the Institute.

It was under these provisions that I was hired.

Mr. ARENS. Did you make any distinction in your presentation to this board, stimulated by your concepts of integrity, between left-wing activity and membership in the Communist conspiracy?

Mr. SNITZER. I did not believe it was necessary. I thought that in my discussion with my officials there, it was abundantly clear whatever political associations I may have had in the past. I made also clear to them that I was not now a member of the Communist Party, as I said before, nor was I engaged in any activity which, in any way, would reflect on the Institute.

Mr. ARENS. Were you—

Mr. SNITZER. I don't think there was any question in the mind of the person with whom I talked concerning possible previous associations.

Mr. ARENS. Let's forget about the previous associations. Don't construe our inquiry here on associations. Did you tell them whether or not you had been, in the recent past—

Mr. SNITZER. I already made clear what I told them.

Mr. ARENS. —a member of the Communist Party?

Mr. SNITZER. I already made clear what I told them, essentially those three things.

Mr. ARENS. Now, sir—

Mr. SNITZER. When you speak of something like membership in the Communist Party, the specific question as to was I previously a member of the Communist Party, as I recall, was not raised. I felt, however, it was necessary to make perfectly clear to the person with whom I spoke that I did have a political past, that there was a very good chance that I might stand on the fifth amendment if ever investigated.

Now, I ask you if someone were to speak to you and put those propositions to you, would there be any questions in your mind concerning a person's political past?

Mr. ARENS. I would immediately ask them, "What do you mean by 'political past,' Democrat, Republican, or a member of the conspiracy, sir?"

Mr. SNITZER. The question was not asked me.

Mr. ARENS. The question was not asked you?

Mr. SNITZER. As far as political past, there was something else in the interview, a letter. That letter stated that I was involved in political activity in the past at the University of Chicago, which related generally to the area of left-wing political activity. I have forgotten the exact phraseology of the letter. The person with whom I spoke made reference to the letter.

Secondly, that person who wrote the letter of recommendation estimated I would probably not be able to get Government security clearance.

Mr. ARENS. Tell me——

Mr. SNITZER. I made clear, furthermore, to the person with whom I spoke that I had no intention of applying for clearance.

Mr. ARENS. Tell us, what did you mean by a political activity in your past, what type of activity?

Mr. SNITZER. As I have already indicated, it was left-wing political activity.

Mr. ARENS. What kind?

Mr. SNITZER. Open activity on the campus at the University of Chicago. Beyond that I have no intention of stating to you.

Mr. ARENS. What did you mean now? What impression did you mean to convey to the listener at the school when you were applying for a job, when you said you had a past of left-wing political activity?

Did you mean you were in the Democratic Party, the Republican Party, or just what did you mean, when you said you had an activity in the past, a political activity?

Mr. SNITZER. I think that question is just simply an attempt to get me to say that——

Mr. ARENS. An attempt to get you to tell the truth. Were you a Communist?

Mr. SNITZER. I told you the truth. I made clear I have no intention of telling you whether I was a Communist or not. I don't believe it is the business of this committee to inquire into the associations or the beliefs of anyone, and I intend to exercise that right and enforce this committee to respect it.

Mr. ARENS. You told us what your intentions were with reference to this committee. You opened the door as to your intentions. Tell us whether or not your intentions were to convey the impression of whether or not you had been a member of the Communist Party but you were engaged in certain political activities?

Mr. SNITZER. That statement I believe to be untrue.

Now, I don't think there is any question; as I said before, any intelligent listener, and certainly a person responsible in administration would have no question concerning what was meant by the statements which I just conveyed to you.

Mr. ARENS. We are a little bit on the dull side this afternoon. Tell us, did you mean to convey that you were——

Mr. SNITZER. I will not——

Mr. ARENS. —a member of the Communist Party?

Mr. SNITZER. I will not be tricked into stating what I told this committee already. I don't believe it has any right to inquire into it. I will make any statement to the press. I invite you to recess these hearings and have a press conference, and I will make a statement to the press what I had been undertaking in the past. I don't think it is the right of this committee to inquire into a person's beliefs or associations.

Mr. ARENS. Let's forget about political beliefs and associations. Let's keep you under oath so what you do say will be under the pains and penalties of perjury.

Mr. SNITZER. My integrity has never been questioned.

Mr. ARENS. Now, sir, how were you engaged immediately prior to the time that you went to Lowell Institute?

Mr. SNITZER. At the Brown Instrument Division of Minneapolis-Honeywell.

Mr. ARENS. How long were you employed there?

Mr. SNITZER. From February of '54 until just prior to coming to Lowell Tech.

Mr. ARENS. What precipitated the disassociation of yourself from that organization?

Mr. SNITZER. What precipitated the disassociation?

Mr. ARENS. Yes, sir. What caused it? Why did you leave?

Mr. SNITZER. I was unhappy with my job. I wanted to go into teaching.

Mr. ARENS. Did they have defense contracts at this particular establishment?

Mr. SNITZER. What kind of defense contracts are you talking about?

Mr. ARENS. Any kind of defense contracts; you would know.

Mr. SNITZER. Yes, they did. I was a contract engineer under a contract awarded from Fort Monmouth, the Signal Corps. However, it was an unclassified contract. At the time I gained employment in Minneapolis-Honeywell, I specifically asked whether they had any clearance requirements. I was told no, so I was hired.

Mr. ARENS. When were you employed at this Honeywell place, this Minneapolis establishment?

Mr. SNITZER. In Philadelphia.

Mr. ARENS. I say, when?

Mr. SNITZER. As I said before, February '54 until just prior to coming to Lowell Tech.

Mr. ARENS. During the time you were working there at that establishment having defense contracts, at any time were you a member of the Communist Party?

Mr. SNITZER. As I said before, I have no intention about answering any political beliefs or associations prior to coming to Lowell Tech. I would answer concerning them in the present period. I will even answer concerning questions raised concerning the Communist Party at the present time. As far as what happened prior to my coming here, and I do this because I specifically feel that it is necessary to make a point of the fact, this committee has no right to inquire into beliefs and associations.

Mr. ARENS. Are there any persons who, to your certain knowledge, are or have been in the course of the period since 1954 employed at the Minneapolis-Honeywell plant who are Communists?

Mr. SNITZER. I think I made it perfectly clear. I have no intention of answering concerning any questions in the past, and I repeat that statement.

Mr. ARENS. Now, Mr. Chairman, I respectfully suggest the witness be ordered and directed to answer the question.

Mr. DOYLE. Yes. Witness, I direct that you answer the question. I believe it is clearly pertinent and proper.

Mr. SNITZER. I would like to question that direction. I don't feel it is pertinent and proper. I would like Mr. Arens or yourself to indicate the pertinency.

Mr. ARENS. I will go through it again and a thousand times if it might serve our purposes, that is, to explain to you, Witness, if you do have information respecting Communists who are employed at the Minneapolis-Honeywell plant or any other plant, in the course of the past few years, who are Communists in plants where there are defense contracts, it is the concern of this committee, so that this committee may initiate legislation, or initiate an inquiry looking toward legislation, to protect defense establishments from the penetration of Communists. Some of that legislation has already been suggested. You might be interested to know that, at the present time, the tie-lines and lease-lines out of the Pentagon, processing messages of defense interest to this Nation, are serviced, these tie-lines are serviced by members of an organization controlled by the Communist conspiracy.

You might be interested to know, sir, that that organization, the American Communications Association, is now certified as a bargaining agent by the National Labor Relations Board. And if the employers do not bargain with that Communist-controlled organization, they are guilty of an unfair labor practice.

You might be interested to know, sir, at the present time while I am talking to you, vital mines of this Nation in the West are serviced by some 80,000 people in the International Mine, Mill and Smelter's Union, which is controlled lock, stock, and barrel by the Communist conspiracy, and if the owners of those mines do not bargain with the conspiracy, they under the present law are guilty of an unfair labor practice.

You might be interested to know, sir, that before this committee, representatives of the Pentagon and of the military and of the defense establishment of this Nation have appeared and pled for legislation whereby there can be foreclosed from admission to the defense establishments known hard-core Communist conspirators.

And you sit here, under the protection of the flag of America, possessed of information—at least apparently possessed of information—respecting persons who to your certain knowledge are Communists employed in the establishment engaged with defense contracts, for defense of this great Republic; and you will not tell us about it because you don't think it is pertinent to the inquiry of this committee of the United States Congress.

If that is the law, sir, and if that is right, God help this Republic. I plead with you: Tell us, do you now know the names of persons who, in the course of the last three or four years, to your certain knowledge

were Communists, employed in the Minneapolis-Honeywell Company where defense contracts were being consummated?

Mr. SNITZER. Mr. Berlin, what would you advise on this question?

Mr. BERLIN. Well, in all fairness, I don't think that the director has set forth with undisputable clarity, to use the words of the Watkins decision, what the subject matter of this inquiry is, in so far as your employment in the Minneapolis-Honeywell, Brown Instrument Division, in 1954 is concerned. And so I think you could object to the hearings on grounds of pertinency, and should.

Mr. SNITZER. On the advice of counsel, I object to this question on the grounds of pertinency and refuse to answer this question.

Mr. ARENS. If I haven't made this record clear, it is beyond my competence to do so. Mr. Chairman, I respectfully suggest now this record reflect an order and direction to this witness to answer the last outstanding principal question.

Mr. DOYLE. Witness, I want you to tell me if you do not hear clearly, or if you do not understand my order and direction. Will you do that?

I am now directing and ordering you to answer Mr. Arens' question.

Mr. SNITZER. Yes, I understand that. And again I refuse to answer on the grounds that I think it is not a pertinent question.

Mr. KEARNEY. Mr. Chairman—

Mr. SNITZER. Just a moment, please.

Mr. ARENS. Mr. Chairman.

Mr. SNITZER. I would like to consult with my lawyer.

Mr. ARENS. I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. KEARNEY. Were you in the service?

(The witness conferred with his counsel.)

Mr. SNITZER. I am sorry. I didn't hear that question.

Mr. KEARNEY. I asked you if you were in the service.

Mr. SNITZER. Am I now in the service—

Mr. KEARNEY. No, no. I asked you if you were in the Army.

Mr. SNITZER. Yes. I was in the service.

Mr. KEARNEY. Pardon?

Mr. SNITZER. Yes, I was. I enlisted in the Navy. Would you like a quick rundown of my service associations?

Mr. KEARNEY. Yes, or no might be satisfactory.

Mr. SNITZER. Yes. All right.

Mr. KEARNEY. What years were you in the service?

Mr. SNITZER. I was on active duty from July of '43 until August of '46, and I was placed in the reserves because I was an officer at the time I left the service; and then at the time I left active duty, I got an honorable release from active duty. However, in the status of reserves, I was released from the reserve status under conditions other than honorable, the reasons which were given at the time was that I was associated with left-wing activity at the University of Chicago, all of which activity, I would like to add, was open activity on the campus, a matter of public record.

Mr. KEARNEY. In other words, the record still stands that you were released under conditions other than honorable?

Mr. SNITZER. That is correct.

Mr. KEARNEY. Did you attend college after you left the service?

Mr. SNITZER. Yes, I did.

Mr. KEARNEY. Were you in school under the G. I. Bill?

Mr. SNITZER. That is right, I was.

Mr. KEARNEY. You what?

Mr. SNITZER. Yes, that is correct.

Mr. KEARNEY. Even though you had left the service under conditions other than honorable?

Mr. SNITZER. Just a moment, please. At the time I left the service under conditions other than honorable, this was in 1954. I graduated with a PhD degree in physics in 1953.

Mr. KEARNEY. At the time that you were in the service, were you a member of the Communist Party?

Mr. SNITZER. When you say "service" do you mean by that active duty? I would like to make clear that I am prepared to answer concerning any time I was in the service on active duty. However, when I was placed in the reserve status, I had no contacts at all with the service.

Mr. KEARNEY. While you were in the Army on active duty—

Mr. SNITZER. Navy.

Mr. KEARNEY. —were you a member of the Communist Party?

Mr. SNITZER. No, I was not.

Mr. KEARNEY. When you were in the reserves, were you a member of the Communist Party?

Mr. SNITZER. Again I refuse to answer on the grounds I feel this committee has no right to inquire into that matter.

Mr. KEARNEY. That is all.

Mr. DOYLE. In asking you these few questions which I will ask you, I wish to state frankly that I will not intentionally ask you about any of your associations, that is, I will not ask you for any names. I intend to base my few questions to you purely on your own activities. Is that clear?

Mr. SNITZER. Yes. Well, as I said before, I am quite prepared to discuss any matter that has happened since I have been here at Lowell Technological Institute.

Mr. DOYLE. Of course this committee, in my judgment, is fully entitled, under the law and under the Watkins decision, which you and your counsel are well informed about, I hope, to go into your activities. We are legally entitled to go into your activities, as a proper field of investigation for the purpose of considering remedying or changing or filing or recommending legislation in the field of subversive activity.

Now, I will be brief, and I hope you will be brief. I will not try to make a speech, and you have had your chance and have taken advantage of it.

Now, I made notes as you testified. I practiced law 30 years before I first came to Congress, so I am used to making notes. You said that you did not specify to the school authorities the Communist Party. You did specify that you had been engaged in left-wing activities, as I understood you to say.

Is there a difference in your mind between left-wing activities and the Communist Party, or can I ask you this question—

Mr. SNITZER. Very definitely there is a difference.

Mr. DOYLE. Why didn't you specify the Communist Party as one of your activities?

Mr. SNITZER. For one reason, that I wasn't specifically requested; and, secondly, I indicated very early in the interview that I had these left-wing associations and, furthermore, I would probably use the fifth amendment if ever called before an investigating committee. However, I don't use the fifth amendment, because I feel since that time the fifth amendment has, to some extent, become a clear indication of guilt. I have done nothing wrong at any time and, therefore, I feel no need to exercise the rights under the fifth amendment.

Let me make this clear, that in an interview, especially in an academic community, there is a certain amount of finesse that is presumed on both sides. What you attempt to do is make clear your position to the person who is interviewing you, and it is not necessary to have the specific answers and questions on each point.

Mr. DOYLE. Yes.

Mr. SNITZER. But what is necessary, is to make clear the character of the person who is being interviewed and that I felt I did.

Mr. DOYLE. I am a little bit familiar with education procedures because I was a member of the California State Board of Education for some time. So what you are talking about is not entirely Greek to me. I know more than possibly you make allowance for me to know on those matters.

I noticed you said that the person who wrote the letter of recommendation estimated that you would not be able to get a Government security clearance and that you specifically asked the school authority whether or not they had security clearance requirements.

Mr. SNITZER. That is correct.

Mr. DOYLE. Why did you ask the school board that in your application for a job?

Mr. SNITZER. Because I feel that in these days of hysteria there is a definite equivalence made between a person being associated with either left-wing activities or any type of left-wing activities and the implication of being a spy or saboteur. Now, I have never been either. I would never, under any conditions, turn over secrets to anybody. Furthermore, I would turn over anyone who ever did such a thing to proper authorities.

Mr. DOYLE. Of course—

Mr. SNITZER. But I am not going to get myself into a position where I would be vulnerable and subject to any kind of attack on that base. So I specifically decline concerning this point.

I would like to add, any job I have ever been interviewed for, whether in industry or school, I always inquired concerning that same point.

Mr. DOYLE. All right. I listened to you make another appropriate speech. Now, let me ask a question: Did you separate yourself voluntarily from the military service and active service or were you separated for less-than-honorable discharge?

Mr. SNITZER. Well, that question is not entirely clear, because from 1951 to 1954 I had an active exchange of letters with the Navy. The Navy kept sending me letters with a bill of particulars. As I said, this bill of particulars included all open activity that I engaged in at the University of Chicago campus. However, the set of points elicited were points contained in the confidential communication to me, so I

don't feel at liberty to disclose it here, except to say these were open activities that I engaged in at the University of Chicago.

Mr. DOYLE. Was there a court-martial in connection with it?

Mr. SNITZER. To my knowledge, my recollection of it, there was not.

Mr. DOYLE. You would have a clear recollection, wouldn't you, as to whether or not—

Mr. SNITZER. No. I will tell you what happened. No, there was not a court-martial.

Mr. DOYLE. There was a hearing of some sort?

Mr. SNITZER. No, not to my knowledge. There wasn't. At least I was not present at the hearing. This is what I did in my communication with the Navy. Every time I received a communication from them, I sent back a respectful and courteous letter requesting that I be allowed to resign from the service, and they sent back a letter saying they would like to arrange a Board of Officers for me, and I kept sending back saying that I would like to resign. This exchange of letters between myself and the Navy continued, as I said, from 1951 to 1954, until I finally got the discharge, and the discharge was as I indicated.

Mr. DOYLE. I am on the Armed Services Committee of Congress also, and I know that very frequently they ask a man if he would like to resign instead of standing court-martial. That is quite a habit of the Armed Forces. I don't know if that occurred in your case, but at any rate you stated—

Mr. SNITZER. No, that was not the case. I recall now that you mentioned the point, that I was told specifically that I could not be court-martialed because I was not in a sufficiently active status in the reserves.

Mr. DOYLE. Oh, yes. That is the technical point. I thought there was some technicality there, which is explanatory. At any rate, you could not get security clearance from the Government and you notified the school department to that effect and you never have received security clearance from the Government, have you?

Mr. SNITZER. That is correct.

Mr. DOYLE. That is correct. So that when you were contract engineer for this large corporation dealing with national defense contracts, and you were the contract engineer thereof, according to your own testimony, you were in a status with the military department where you did not have security clearance. That is correct, isn't it?

Mr. SNITZER. That is correct. The reason for that was the work I was doing was not considered to be secret work.

Mr. DOYLE. Oh, I see.

Mr. SNITZER. There was no classification attached to the project. I would like to add that the Minneapolis-Honeywell is very scrupulous in obeying the security requirements in any contract which requires such requirement.

Mr. DOYLE. The Government doesn't usually withhold security clearance from American citizens in the military department unless they do it for cause, in their judgment.

Mr. SNITZER. Well, that is why I haven't had any—because I haven't applied for clearance.

Mr. DOYLE. All right. Now, one more question.

General Kearney, do you want to ask a question?

Mr. KEARNEY. When were you commissioned in the Navy?

Mr. SNITZER. To the best of my recollection about 19—it was the latter part of the summer of 1945.

Mr. KEARNEY. Was an investigation made of yourself at the time prior to your commission?

Mr. SNITZER. Oh, I doubt it very much. I was entirely apolitical at the time.

Mr. KEARNEY. You what?

Mr. SNITZER. I was entirely apolitical at the time. I was naive about politics of all forms.

Mr. KEARNEY. You are not so naive now.

Mr. SNITZER. I try to think not.

Mr. KEARNEY. We think so, too.

When were you separated from your commission?

Mr. SNITZER. That was the first of August 1946.

Mr. KEARNEY. Isn't it true that today if war should break out between this country and any other country—let me put it that way—you, under your terms of separation from the Navy as a commissioned officer, would be prohibited from ever accepting a commission from the United States Government again?

Mr. SNITZER. I don't know whether that is the case or not. I would guess so.

Mr. KEARNEY. You would guess so?

Mr. SNITZER. You are probably more conversant on those matters than I.

Mr. KEARNEY. I would guess so along with you. That is all.

Mr. DOYLE. May I ask one more question, please? Of course, I think General Kearney knows what he is talking about, because he is a retired Army General in his own right, and a most distinguished one.

May I ask this question, and I state that I am assuming for the purpose of this question, because of your testimony, that there was a time when you were a member of the Communist Party. In answer to his questions, you pleaded your constitutional privilege. But to me you made it abundantly clear that one reason you will not aid or assist this committee in getting any facts about a period in your life when you were a member of the Communist Party—and again that is my assumption from your own testimony and your own lips—that the chief reason that you are not willing to help your United States Congress is because you do want to say nothing in public while you are under oath that would hurt Lowell School District. Isn't that the burden?

Mr. SNITZER. I don't quite get what you are getting at.

Mr. DOYLE. I am getting at this, Mr. Snitzer. You are an elementary school teacher.

Mr. SNITZER. No, that is not true.

Mr. DOYLE. What grade?

Mr. SNITZER. I teach on the undergraduate and graduate level at the Lowell Technological Institute.

Mr. DOYLE. Well, you are in even a more sensitive position than I thought you were so far as American youth is concerned. It is pretty dangerous in my book to have any man who is guided by the Communist philosophy in a public school room teaching.

Mr. SNITZER. I am not guided by the Communist philosophy. In fact, I have distinct disagreements with the Communist philosophy. I do not consider myself even to be ideologically with the Communists today. I have definite disagreements.

Mr. DOYLE. Thank goodness for that.

Mr. SNITZER. I am very definitely not a Communist.

Mr. DOYLE. Why did you get out or why did you separate from the Communist ideology?

Mr. SNITZER. The question presumes that I was in, and that has not been established yet. However, I will give my reasons for disagreeing with the Communist Party if you like.

Mr. DOYLE. I would like you to. But don't give us too long a speech.

Mr. SNITZER. I would say it is essentially three things, I think.

First, the attitude toward the Soviet Union. I think there has not been sufficiently a critical attitude towards the obvious shortcomings that exist in the Soviet Union. This is made clear by the Khrushchev report of the Twentieth Congress of the Soviet Union. There is no question but that the Soviet Union had a considerable miscarriage of justice concerning a number of the leaders and a number of people in the Soviet Union, and I think the Communist Party in the United States simply has not been critical enough, has not been objective enough in evaluating the Soviet Union.

The second point is that I believe that the method of organization of the Communist Party, mainly that based on democratic centralism, is not correct or appropriate to an American party. It does contain within it the essential parts of civil libertarian approach, which I believe personally to be the cornerstone of any democratic movement in the United States. Based on democratic centralism, it does not preserve or build on the fundamental basis of American democracy.

Finally, I think the general methods of operation of the Communist Party have not been sufficiently open in its activities, something which I have always had disagreement with. And, as I said before, any activities that I engaged in in the past have been based on this kind of commitment. Where I felt something was important enough to take a side on, it was important enough also to openly challenge and defend, and I do the same thing here.

I would like to add that I think that the approach that men like Howard Fast and John Gates used is essentially a correct one and as Howard Fast said, he thought the best thing the Communist Party could do, following the revelations of the Khrushchev report, was to dissolve itself. I would say, personally, the best thing this committee can do to preserve American freedoms is to go to Congress and dissolve itself, also.

Mr. DOYLE. That is the Commie line.

Mr. ARENS. It is the same line John Gates followed in executive session two weeks ago.

Mr. SNITZER. That may well be the case. It is my firm conviction, and I made it openly.

Mr. ARENS. You know you have been identified by a live witness under oath as a member of the Communist Party, have you not?

Mr. SNITZER. I have been informed concerning some congressional testimony.

Mr. ARENS. Could you be truthful enough to tell us whether or not you know you have been identified as a member of the Communist Party, under oath?

Mr. SNITZER. This is not a question of truth. I made that clear before, Mr. Arens, that I am not going to be tricked into taking a stand before this committee——

Mr. ARENS. We are not trying to trick you.

Mr. SNITZER. —speaking about my past, because you have no right to inquire. You have no right to question into any question concerning where I stand, concerning past political activities or associations. And I will freely discuss with the press and this committee has no right to inquire. The only way I can make this committee respect that right of privacy and association and thought, the only way I can make the committee respect it, is to exercise my rights under the Constitution.

Mr. ARENS. Thank you.

Mr. SNITZER. That is what I propose to do.

Mr. ARENS. You know you have been identified under oath by a live witness before this committee as a person known by him to be a Communist? Do you know that?

Mr. DOYLE. Mr. Arens——

Mr. SNITZER. Mr. Berlin, is there any way in which I can make clear that I have no intention of discussing my political associations before this committee, because I don't believe this committee has any right to ask——

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. DOYLE. Mr. Kearney, have you any questions, or not?

Mr. KEARNEY. Yes. I have a question.

The only question—it isn't a question, it is just an observation. The only thing I can say to the witness, the witness has kept repeating here about a conference with the press. Let me——

Mr. SNITZER. I have just been informed by my attorney——

Mr. KEARNEY. Just a minute.

Now, you break in, not on my time, but on your own time.

Mr. SNITZER. I am very sorry.

Mr. KEARNEY. I want to inform the witness if there is a conference with the press and statements are made when the witness is not under oath, that the witness will be resubpenaed before the committee to testify as to those statements.

Mr. DOYLE. Now, may I state, Witness, in dismissing you, I noticed, of course, your positive statement that you agree with the philosophy of John Gates.

Mr. SNITZER. I said that one aspect of what John Gates said. I don't know enough about John Gates' attitude to say in complete agreement.

Mr. DOYLE. I understand. You follow his line and the main difference between him——

Mr. SNITZER. That is not the truth. That simply is not true. On that one question I agree with John Gates that the Communist Party should have dissolved itself. That is the best thing it could have done.

Mr. DOYLE. And his program is to form, if he can, a Communist Party that is limited to the continental United States, and that is what you agree with?

Mr. SNITZER. No; I do not agree with that, categorically not.

Mr. DOYLE. I have one more statement, and then you are dismissed. I wish to say this, sir: We would not have taken your time, nor ours, nor the expense involved to any of us, including yourself or your attorney, if we had not had ample sworn testimony before us showing your activity in the Communist Party.

Now, is that clear? So when you plead your amendment, that is your constitutional privilege but you do not fool us as to what the actual facts are.

Mr. SNITZER. You claim that I am a Communist Party member now?

Mr. DOYLE. We have your Communist Party activity in sworn testimony—and plenty of it.

Mr. SNITZER. Do you question that I am not a Communist Party member now?

Mr. DOYLE. So you had your time to make a speech, and that is all right. You made it. We have been good sports in allowing you plenty of time.

You are dismissed.

Mr. ARENS. Mr. Chairman, the next witness, if you please, is Homer Bates Chase.

Mr. SNITZER. Mr. Chairman, I would like to have marked for identification—

Mr. ARENS. Mr. Chase, will you kindly come forward. Remain standing while the chairman administers the oath to you.

Mr. BERLIN. May we have this marked for identification, the statement submitted to your counsel?

Mr. ARENS. Please come forward, Mr. Chase.

Mr. DOYLE. We will accept it for identification, but not for printing in the record. You know the rules of the committee.

Mr. BERLIN. I appreciate that. I am just asking for this to be marked for identification.

Mr. DOYLE. Yes, of course.

(Document marked "Snitzer Exhibit No. 1" and retained in committee files.)

Mr. ARENS. Come forward, Mr. Chase, and remain standing while the chairman administers the oath to you.

Mr. DOYLE. Witness, do you solemnly swear you will tell the whole truth, and nothing but the truth, so help you God?

Mr. CHASE. I do.

Mr. DOYLE. Thank you. Take the witness chair.

TESTIMONY OF HOMER B. CHASE

Mr. ARENS. Please identify yourself, sir, by name, residence, and occupation.

Mr. CHASE. The name is Homer B. Chase. I live in Washington, New Hampshire; and I chop logs for a living, chop lumber.

Mr. ARENS. How long have you lived in Washington, New Hampshire?

Mr. CHASE. Well, I lived—I was born there and I left home something around sixteen or seventeen years old. In all about—this is quite a chore—about 20–25 years.

Mr. ARENS. You are appearing today, Mr. Chase, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. CHASE. Well, yes; I came all day, although—that was the major reason. My expenses weren't handed to me. I would like to suggest to the committee that with all this unemployment going on, that we get our money before we come down here.

Mr. DOYLE. The United States Government's credit is good, and in view of your facetious remarks, I will say, as soon as you are through testifying you will be paid your fee.

Mr. CHASE. Yes, but there is a question of getting the money. It is not facetious at all. To an unemployed logger the question of a trip to Boston is far from being facetious, sir.

Mr. ARENS. Mr. Chase, what other activity have you been engaged in, principal activity, in the last four or five years, besides sawing wood?

Mr. CHASE. Well, I have—four or five years?

Mr. ARENS. Yes, sir.

Mr. CHASE. Besides chopping lumber I worked half a day on the town road this year. I drive a team a little when I had my own horses, during the last four or five years.

Mr. ARENS. How about the last ten years, what has been your principal activity?

Mr. CHASE. My principal activities in the last ten years?

Mr. ARENS. Yes.

Mr. CHASE. Well, I'd rather not discuss that period to any degree, going back that far, ten years.

Mr. ARENS. Why not?

Mr. CHASE. Well, I was living in a section of the South at that time. I am afraid that this committee might start asking names, and, as you know, that might involve names of Negroes and Whites, and they are not protected down there. Their very lives would be in danger. I have always been on the side of civil rights, and to identify people living in certain sections of the South would be, as I say, contrary, I think, to the—that would be a real case.

Mr. ARENS. Were you in the South, Mr. Chase?

Mr. CHASE. Oh, certainly.

Mr. ARENS. About what period of time were you in the South?

Mr. CHASE. Oh, I have no objection to answering that.

Mr. ARENS. Then do it, please.

Mr. CHASE. As far as we won't get into it—I went South. They sent me into the Airborne Engineers.

Mr. ARENS. You were in the Army, were you, when you went to the South?

Mr. CHASE. When I went to the South, yes. I was in the Army Engineers.

Mr. ARENS. Was that the first Army experience you ever had, Mr. Chase?

Mr. CHASE. Oh, no.

Mr. ARENS. What other Army experience have you had prior to the time the United States Army sent you down there?

Mr. CHASE. I am proud to state I was a member of the International Brigade in Spain.

Mr. ARENS. Which side did you fight on in Spain?

Mr. CHASE. I fought with the legally elected Government of Spain, the democratic side.

Mr. ARENS. Is that the only way you care to describe the group you fought with in Spain?

Mr. CHASE. Oh, no. If the committee has the time and the patience I will.

Mr. ARENS. We will take the time for a minute or so to have you explain.

Mr. CHASE. I fought with heroes, with people who understood the dangers of fascism long before the leadership of this Government of France did, or England. I fought with people who tried to prevent World War II, who saw the danger of Hitler and Mussolini. And they took action. They took action. They just didn't talk democracy. You know it is easy to say "democracy."

Mr. ARENS. Now, Mr. Chase—

Mr. CHASE. But to lay your life down on the line like those fellows did is something else again.

Mr. ARENS. Thank you, Mr. Chase.

Mr. CHASE. Thank you?—Thank them.

Mr. ARENS. What were the names of some of these leaders that you fought with over in Spain?

Mr. CHASE. Leaders?

Mr. ARENS. Was Steve Nelson one of these heroes you fought with in Spain in the Abraham Lincoln Brigade?

Mr. CHASE. Now, we are getting into an area—

Mr. ARENS. No. We want the name of one of these heroes who was fighting fascism in Spain. You told us that you were fighting with some great heroes, and I just wanted to know if you can tell us whether or not Steve Nelson was one of those heroes who was fighting the Fascists over there in Spain? You just come on and tell us.

Mr. CHASE. I would not care to discuss other folks who went to Spain. If this committee—let me just say this—If this committee was interested or could explain the purpose of such a question—

Mr. ARENS. You started it, Mr. Chase.

Mr. CHASE. So that I could see it has any—to my understanding, and we all have to obey the law as we see it.

Mr. ARENS. Why, of course.

Mr. CHASE. Well, if you could tell me what this has to do with this work of this committee, then I would gladly tell you the name of one of these.

Mr. ARENS. I will tell you in your own words. You know you were talking about fighting Fascists.

Mr. CHASE. That is right.

Mr. ARENS. Fighting Hitler and fighting Mussolini. There is another force loose in the world today, Mr. Chase. It is a conspiracy, a Godless, atheist conspiracy, out to destroy all Christian civilization, out to destroy all mankind, out to destroy every person who is not part and parcel of this atheistic, Godless conspiracy.

The head of it now is a man by the name of Khrushchev. He would make Hitler and he would make Mussolini look like innocent Sunday school boys, Mr. Chase.

Now, we would like to to have you tell us who were some of these heroes you were fighting with in Spain, if that is what you were telling about. Just name a few of them, and answer first of all the question, if Steve Nelson was one of those heroes who was fighting the Fascists in Spain with you.

MR. CHASE. I would like to comment on the preface. The preface was longer than the question, if I may say so.

First, on this conspiracy, Communist conspiracy we have heard about all day long here—it has been a long day. I am not used to sitting around like this.

MR. ARENS. You are a man of action, are you not?

MR. CHASE. That is right—when I can get work. I hope when you go back to Washington you will see that the lumber industry picks up, because that is something within your power.

MR. ARENS. According to your own words here, you have been pretty busy, and we are going into that.

MR. CHASE. On this conspiracy business, we have a paper up in New Hampshire, the Massachusetts Union, and they claim it is a conspiracy when Eisenhower discusses the Summit Meeting. That is a Communist conspiracy to Mr. Globe. And we have Herman Talmadge in Georgia. He says it is a Communist conspiracy against the South and traditions of the South when the Supreme Court—

MR. ARENS. Did you—

MR. CHASE. I didn't interrupt you, sir. Could I have the same courtesy?

MR. ARENS. You go right ahead. I beg your pardon.

MR. CHASE. Then we have the talk about Communist conspiracy when some scientists got an original idea. They were Communist conspirators, and we drove out, to my way of thinking, some of the best scientists in America, and we hurt this country's scientific effort.

So I don't accept the preface of your question.

MR. ARENS. Do you think Fuchs might have been one of these scientists who was discriminated against in this process, Mr. Chase?

MR. CHASE. Well, I don't know Fuchs. I don't know all the details of the Fuchs case, but I do know that this phrase "Communist conspiracy" is being overworked.

I am sure if we investigated Channel 5 and how the Boston Herald got hold of it, it would be a Communist conspiracy. Yes, I really believe it would be identified by a great many people.

MR. ARENS. You told us, Mr. Chase, what is not or what is the Communist conspiracy in some people's minds. Let us shift over a little bit, now, in our discussion and see if you can tell us something about the Communist Party, as distinct from the Communist conspiracy, if a distinction is proper. What do you know about the Communist Party? See if you can help us on that now.

MR. CHASE. Well,—

MR. ARENS. Do you know something about it?

MR. CHASE. I will tell you this way: that I believe in Socialism. I believe that capitalism is in its dying stage in this country.

Mr. ARENS. We don't want you to be disclosing your beliefs unnecessarily here, unless you want to open the door, Mr. Chase, to tell us more of your beliefs.

Mr. CHASE. You brought me 100 miles down here. There is snow three feet deep up in New Hampshire, and you want my advice and I just have my opinions.

Mr. ARENS. You go right ahead.

Mr. CHASE. I am going to help you all I can.

Mr. DOYLE. You have had a good laugh. Now let us hear the testimony.

Mr. ARENS. Now, Mr. Chase——

Mr. CHASE. Yes, sir? I was saying——

Mr. ARENS. Here, let us get back on the subject.

Mr. CHASE. Mr. Chairman, I didn't get a chance to answer that question. He asked me about the Communist Party and I didn't answer.

Mr. ARENS. Have you ever been a member of the Communist Party, Mr. Chase?

Mr. CHASE. That wasn't the original question. The original question is the one I can answer.

Mr. ARENS. Let's substitute this question for the original question, Mr. Chase. It is my job here to do the questioning.

When you went down South, were you in the Communist operation down there?

Mr. CHASE. Well, you see, I think that this business of actual political membership in a legal party, and I believe the Communist Party is a legal party.

Mr. KEARNEY. You believe what?

Mr. CHASE. The Communist Party is a legal party. It can go on the ballot in Massachusetts. There is no law to stop it and, frankly, if the party to which you belong, Mr. Kearney, or you, Mr. Doyle, and the Communist Party, were on the ballot in New Hampshire, as of now, I would not cast my ballot for the Republican Party or the Democratic Party, in view of their dismal record. I would vote for the Communist Party.

Mr. ARENS. Yes. Now, tell us whether or not——

Mr. CHASE. I think their programs correspond to the needs of my family and the people better than the parties of Mr. Doyle and Mr. Kearney, although let's hope they improve.

Mr. KEARNEY. At least we get a true word out of you.

Mr. ARENS. When you were down in the Southland, were you a Communist down there on a Communist mission?

Mr. CHASE. Well, as I have already explained due to the situation in the South, the lack of law and order there, the violence of things, Federal troops that we witnessed in Arkansas, Talmadge's threats against the laws of this country, and threats of sedition, I don't feel that I could answer questions about political activity in the South without endangering other people's lives.

Mr. ARENS. Let us not endanger anyone. You are not in the South now, are you? You are safe up here in the North.

Mr. CHASE. I am not so concerned about my life. I live a good deal and I have lived a rich life and I think I have——

Mr. ARENS. I promise you, Mr. Chase, I am not going to ask you about the names——

Mr. CHASE. It is an entirely different situation in Georgia. You will agree.

Mr. ARENS. I am not going to ask you a name of a single person south of the Mason-Dixon line. I am just going to ask you about yourself, and you are up here safe in the North.

Tell us when you were down South, now that you are back up North, tell us: Were you down there on a mission of the Communist Party?

Mr. CHASE. Well, I don't see how, with all due respect to your legal knowledge, for what that can get into a—

Mr. ARENS. I do not want to get anyone in trouble, Mr. Chase.

Mr. CHASE. It isn't as if this is the last hearing of the committee, whether you adopt the suggestion of the previous witness or not, I have no way of knowing.

Mr. ARENS. You would endorse that suggestion, would you, Mr. Chase?

Mr. CHASE. Well—what is that?

Mr. ARENS. Mr. Chase, I want to display to you now a photostatic reproduction of a publication. It is a publication that has apparently been telling on people. In the lingo of certain organizations, this might be called a stool pigeon, because this publication is the Communist Daily Worker of Tuesday, May 16, 1950. I see in this Communist Daily Worker of New York, Tuesday, May 16, 1950, one Homer B. Chase, identified here as State Chairman of the Communist Party.

Was this publication, the Communist Daily Worker of May 16, 1950, in error, when it identified you as a member of the Communist Party from Atlanta?

Mr. CHASE. Well, I don't say that it was either wrong or right. I already tried to indicate that I do not care to discuss that aspect of my work, and I think I have tried to make clear the reasons given.

(Document marked "Homer B. Chase Exhibit No. 1" and retained in committee files.)

Mr. ARENS. I think we do understand, Mr. Chase.

Do you know a person by the name of Mrs. Carol Foster?

Mr. CHASE. Well, know her? I think I have seen her. I will qualify that. But I think I have seen her before today.

Mr. ARENS. Where did you see her, do you recall?

Mr. CHASE. I believe I first saw her—now, this is several years ago, when I was haying down in Winton.

Mr. ARENS. What?

Mr. CHASE. Haying—"making hay while the sun shines."

Mr. KEARNEY. You are not any relation to the previous witness, are you?

Mr. CHASE. Well, I don't see what that question, sir—I don't understand the reason for it.

Mr. KEARNEY. I was going to say the reason for it is that it seems you are scratched by the same needle, both of you.

Mr. CHASE. Well, all I said, Congressman Kearney, was that—and he asked me the question—he asked me a simple question and I gave him a simple answer. I thought I saw the woman before.

Mr. ARENS. Mr. Chase, answer this direct question, without equivocation, if you please, sir:

Are you now a member of the Communist Party?

Mr. CHASE. Well, I am going to follow the lead of Congress, as I read in this morning's Globe. It says that Congress is taking the fifth amendment, Roscoe Drummond's column on the editorial page, and I am going to follow you gentlemen's lead. I am going to refuse to answer that on the basis of the Bill of Rights.

Mr. ARENS. Mr. Chairman, we have no further questions of this witness.

Mr. DOYLE. I think the gentleman's declaration that if he had a chance to vote for the Communist Party in his own state he would do it, is sufficient answer.

Are there any questions, General?

Mr. KEARNEY. No. It has been very amusing.

Mr. DOYLE. Thank you very much for coming 100 miles. We enjoyed your entertainment.

Mr. CHASE. Yes, sir. There is one more question I have: Where do I get this money?

Mr. KEARNEY. Do you want it in confederate money?

Mr. CHASE. No, that is the last thing I will take it in. I will take the thing before inflation lowers the value of it too much.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. George Sheldrick.

Kindly come forward, Mr. Sheldrick.

Mr. DOYLE. I would appreciate it if you folks who are leaving the room, would hasten.

Will the witness please be sworn?

Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SHELDRICK. I do.

Mr. DOYLE. Please take the witness chair.

TESTIMONY OF GEORGE SHELDRICK, ACCOMPANIED BY COUNSEL, MARY M. KAUFMAN

Mr. ARENS. Mr. Marshal, could we supply some water here for the witness, please?

Kindly identify yourself by name, residence, and occupation.

Mr. SHELDRICK. My name is George Sheldrick, I live in Paterson, New Jersey. My occupation is a lithographer.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. SHELDRICK. That is correct.

Mr. ARENS. And you are represented by counsel?

Mr. SHELDRICK. I am.

Mr. ARENS. Counsel, kindly identify yourself.

Miss KAUFMAN. Mary M. Kaufman of New York City.

Mr. ARENS. Mr. Sheldrick, for the purpose of identification, have you ever used or gone under any name other than the name of George Sheldrick?

Mr. SHELDRICK. I decline to answer that question under the rights accorded me under the first amendment and the fifth amendment.

Mr. ARENS. You have used the name "Jack" in the Communist conspiracy, over some period of time, have you not?

Mr. SHELDRIK. I decline to answer for the previous reasons given.

Mr. ARENS. Do you know a person by the name of Jack Davis.

Mr. SHELDRIK. I decline to answer that under the previous reason.

Mr. ARENS. Under date of April 8, 1954, Jack Davis testified before this committee that he, Davis, knew you, Sheldrick, as a member of the Communist Party and as a Communist Party organizer in the then Albany District. Was he in error in his testimony?

Mr. SHELDRIK. I again decline to answer the question on the basis of the previous answer.

Mr. ARENS. Now, I should like to display to you a copy of the Communist Daily Worker of New York, Friday, June 11, 1948. This is the Communist Daily Worker. The article reads:

SYRACUSE CP GETS RADIO TIME TO BLAST SLURS

Syracuse, June 10. Free radio time has been granted to the County Committee of Onondaga Communists over WSYR on Sunday, June 13 from 1:16 to 1:30 p. m. (DST) to answer slurs made against Communist Leader William Z. Foster.

George Sheldrick, Chairman of the Onondaga County CP will answer falsifications—

and so forth.

Kindly look at that article, please, sir, as I display it to you and tell this committee whether or not the facts recited in this article, to the best of your knowledge and information, are correct.

(Document handed to the witness.)

Mr. SHELDRIK. Again, under the first and fifth amendments, I decline to answer that question.

Miss KAUFMAN. Mr. Chairman, may I ask that the witness not be photographed while he is giving testimony?

Mr. DOYLE. Yes, of course. The committee fully agrees, as you know, with the freedom of the press, and we will always help to protect it. But where a witness does ask he not be photographed during the time of his testimony we ask your full cooperation, not to do it, please.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that this particular exhibit which I have just displayed to the witness be appropriately marked and incorporated by reference in the record according to its introduction.

Mr. DOYLE. It shall be so marked and so incorporated.

(Document marked "Sheldrick Exhibit No. 1" and retained in committee files.)

Mr. ARENS. Mr. Sheldrick, do you know a person by the name of Armando Penha?

Mr. SHELDRIK. I am going again to decline to answer that question, on the basis of the previous reasons given.

Mr. ARENS. In the last day or so, Mr. Penha testified that while he was an undercover agent in the Federal Bureau of Investigation, specifically in 1955, he knew you, George Sheldrick, as a member of the National Textile Commission of the Communist conspiracy in this country.

Was Mr. Penha telling the truth or was he in error?

Mr. SHELDRIK. I can speak for myself only. I am saying again that I decline to answer that on the basis of the first and fifth amendments.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. SHELDRIK. I decline to answer that question also on the first and fifth amendments.

Mr. ARENS. Are you now a member of the National Textile Commission of the Communist Party?

Mr. SHELDRIK. I decline to answer that question for the previous reasons given.

Mr. ARENS. What is your postal address, Mr. Sheldrick?

Mr. SHELDRIK. Didn't I give that in my——

Mr. ARENS. Please accommodate us by repeating it, if you did.

Mr. SHELDRIK. Oh, that was true—it is not on the subpoena. 201 Governor Street, in Paterson, N. J.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that will conclude the staff interrogation of this witness.

Mr. DOYLE. General Kearney?

Mr. KEARNEY. I have no questions.

Mr. DOYLE. I have no questions.

The witness is dismissed, and thank you.

The committee will stand in recess for five minutes.

(Brief recess.)

(Committee members present: Representatives Doyle and Kearney.)

Mr. DOYLE. The committee will please reconvene.

Let the record show that General Kearney, of New York, and Doyle, of California, are both present. Therefore a legal quorum of the subcommittee of three is present.

Are you ready, Mr. Arens.

Mr. ARENS. Yes, sir.

Mr. DOYLE. Call your next witness.

Mr. ARENS. Anthony DiBiase, please come forward.

Mr. DOYLE. Hurry, gentlemen, with your pictures so the witness can be sworn.

Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DiBIASE. I do.

Mr. DOYLE. Have the witness chair, please.

TESTIMONY OF ANTHONY DiBIASE, ACCOMPANIED BY COUNSEL, JOSEPH J. DALLIRO

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. DiBIASE. I am Anthony DiBiase, I am a student at the University of Rhode Island. I live at 8 Ardmore Street, Nausauket, Rhode Island.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. DiBIASE. I am.

Mr. ARENS. And you are represented by counsel?

Mr. DiBIASE. I am.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. DALLIRO. Joseph J. Dalliro, with office at 25 Fenimore Square, Boston.

I would like, Mr. Chairman, to state for the record that my representation of this witness is by assignment of the Boston Bar Association.

Mr. DOYLE. We appreciate your being here, and we compliment you on coming at the request of the Boston Bar Association. Will you please convey our appreciation to the Boston Bar Association?

Mr. DALLIRO. I certainly will.

Mr. ARENS. How long have you been a student in the school there?

Mr. DiBIASE. Since last September.

Mr. ARENS. And how old are you?

Mr. DiBIASE. 21.

Mr. ARENS. Are you now, or have you ever been, a member of the Communist Party?

Mr. DiBIASE. I will invoke my privileges granted me under the first and fifth amendments.

Mr. ARENS. Are you presently a member of the Communist Party?

Mr. DiBIASE. No; I am not.

Mr. ARENS. Have you been a member of the Communist Party at any time in the course of the last five years?

Mr. DiBIASE. I will invoke my privileges on that.

Mr. ARENS. Have you been a member of the Communist Party at any time in the course of the last year?

Mr. DiBIASE. I will also invoke my privileges, granted me under the first and fifth amendments on that question also.

Mr. ARENS. Have you been a member of the Communist Party since you received your subpoena to appear before this committee?

Mr. DiBIASE. No, I have not been.

Mr. ARENS. Have you been a member of the Communist Party at any time in the course of the last six months?

Mr. DiBIASE. I have not been a member of the Communist Party during that time.

Mr. ARENS. Have you been a member of the Communist Party at any time during the course of the last eight months?

Mr. DiBIASE. It is going to be a matter of variability, and I will refuse to answer that question, sir.

Mr. ARENS. Are you definitely, finally, and irrevocably disassociated from the Communist Party?

Mr. DiBIASE. Would you please repeat that question?

Mr. ARENS. Are you definitely, finally, and irrevocably disassociated from the Communist Party?

Mr. DiBIASE. Yes, I am.

Mr. ARENS. Are you now against the Communist Party?

Mr. DiBIASE. I will invoke my privileges as granted to me under the first amendment, which guarantees my right to free association, and also the fifth amendment which guarantees me the right against self-incrimination.

Mr. ARENS. Are you "on ice"?

Mr. DiBIASE. I don't know what you mean by that.

Mr. ARENS. Are you "a sleeper"?

Mr. DiBIASE. I still do not realize the full implication of what you say.

Mr. ARENS. Are you under Communist Party discipline though not a technical member of the Communist Party?

Mr. DiBIASE. Would you say that again? I am entirely unexperienced in these matters and I would like to get things straight before, you know——

Mr. ARENS. In the Communist Party, do you know what they mean in Communist Party lingo by the term "on ice"?

(The witness confers with his counsel.)

Mr. DiBIASE. Well, I can——yes. But how do you mean it? I know——well, what it can infer, but I mean I would like it spelled out for me.

Mr. ARENS. How do you know that?

Mr. DiBIASE. I think if you ask anyone, I think if you ask anyone in this courtroom——

Mr. ARENS. Have you at any time learned in Communist Party activities the meaning of the term "on ice" or "a sleeper"?

Mr. DiBIASE. No.

Mr. ARENS. Do you know a person by the name of Armando Penha?

Mr. DiBIASE. Wait a minute.

Mr. ARENS. Do you know a person by the name of Armando Penha?

(The witness conferred with his counsel.)

Mr. DiBIASE. I will invoke my privileges.

Mr. ARENS. Armando Penha testified before this committee that while he was an undercover agent serving his Government in the Communist Party, he knew you as a Communist; he knew you as a colonizer. He knew you as a section committee member of the Communist Party in Providence, Rhode Island.

(The witness conferred with his counsel.)

Mr. DiBIASE. I will invoke my privileges on that question.

Mr. ARENS. What is your father's name?

(The witness conferred with his counsel.)

Mr. DiBIASE. His name is Antonio DiBiase.

Mr. ARENS. Where is he employed?

(The witness conferred with his counsel.)

Mr. DiBIASE. I will invoke the first and fifth amendments on that question, because I don't see where it is relevant to this investigation.

Mr. ARENS. I will be glad to explain the relevancy to you, sir. It is for the purpose of identification.

Mr. DiBIASE. This is just exposing my father's job, which may be placed in jeopardy by announcing this.

Mr. ARENS. It is solely and exclusively for the purpose of identification.

We have no further questions of this witness at this time Mr. Chairman.

Mr. DOYLE. Have you any questions, General?

Mr. KEARNEY. No.

Mr. DOYLE. May I just make this one remark, young man, to you: Are you of voting age, yet?

Mr. DiBIASE. I am of voting age. I turned last May 21, and I shall vote in the next election.

Mr. DOYLE. Why don't you get yourself and keep yourself in shape as a young American citizen, where you don't have to plead your constitutional privilege on the grounds that it might incriminate you? Why don't you clean up whatever it is, in recent back history, so that you can be crystal clear and don't have to exercise your con-

stitutional privilege, on the grounds that it might form a chain to incriminate you? Why don't you do that?

This country has honored you by giving you birth. Why in the dickens do you get into an atmosphere of personal conduct, whatever it may be, where you have to refuse to help your own Congress, because it is your Congress, where you have to refuse to help your Congress to work out whatever is just and fair in the field of legislation involving the cold war we are in with Soviet communism?

I suggest if you do it, you will feel a whole lot better inside.

Some of us have boys who gave their lives that you might have a chance to be foursquare an American citizen? Why don't you do it?

I don't mean to insult you. I don't mean to criticize you; I just mean, as one American man to another, my suggestion is that you will feel a whole lot better inside.

Thank you very much. You are excused.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. Douglas Perry.

Kindly come forward.

Mr. DOYLE. Mr. Perry, will you please raise your right hand and be sworn?

Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PERRY. I do.

Mr. DOYLE. Take the witness stand.

TESTIMONY OF DOUGLAS NEIL PERRY, ACCOMPANIED BY COUNSEL, ALLAN R. ROSENBERG

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. PERRY. Douglas Perry, 289 Bolton Street, New Bedford, Mass. I am a trade union organizer for the United Electrical, Radio, and Machine Workers of America, U. E.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. PERRY. Yes.

Mr. ARENS. And you are represented by counsel?

Mr. PERRY. Yes.

Mr. ARENS. Will counsel kindly identify himself.

Mr. ROSENBERG. Allan R. Rosenberg, 209 Washington Street, Boston.

Mr. ARENS. Mr. Perry, kindly tell us any other name you have gone under, other than the name Douglas Perry.

Mr. PERRY. My legal name is Douglas N. Perry, and I have gone under no other name to the best of my knowledge, other than nicknames that I may have been called.

Mr. ARENS. Were you born under the name of Douglas Perry?

Mr. PERRY. I wasn't named until after I was born, Mr. Counsel. But my legal name, as I stated and is on my birth certificate, is Douglas Neil Perry.

Mr. ARENS. How long have you been engaged as a field organizer for UE?

Mr. PERRY. Approximately 10 years.

Mr. ARENS. What was your job immediately prior to your present job?

Mr. PERRY. I was a business agent of a local union of this same organization.

Mr. ARENS. How long have you been engaged in the New England area?

Mr. PERRY. In my capacity as a trade union organizer?

Mr. ARENS. Yes, sir.

Mr. PERRY. For the same period.

Mr. ARENS. Give us a word about your education, please, sir.

Mr. PERRY. I went to grade school in Rockland, Maine; went to college at Oberlin College in Ohio, where I received a bachelor of arts degree in economics.

Mr. ARENS. In what plants do you organize?

Mr. PERRY. I don't understand the question. Do you mean what plants do I represent—that I have anything to do with?

Mr. ARENS. Yes, sir.

Mr. PERRY. I represent the plants in this union in the southeastern Massachusetts and Rhode Island area.

Mr. ARENS. What plants there?

Mr. PERRY. Do you want me to name them, sir?

Mr. ARENS. Yes. What industrial establishments?

Mr. PERRY. The Morse Twist Drill and Machine Company.

Mr. ARENS. Would you tell us, does that organization have any defense contracts?

Mr. PERRY. I don't know, sir.

Mr. ARENS. How many employees are there?

Mr. PERRY. There have been quite a number of layoffs, sir. I would say there are less than a thousand at this time.

Mr. ARENS. Another company?

Mr. PERRY. Eastern Electric, Incorporated.

Mr. ARENS. Do they have any defense contracts?

Mr. PERRY. Not that I know of, sir.

Mr. ARENS. Another company?

Mr. PERRY. Ace Cabinet Corporation.

Mr. ARENS. Is that all?

Mr. PERRY. No, there are others.

Mr. ARENS. Kindly give us the others, if you please, sir.

Mr. PERRY. Paragon Gear Works, New Process Twist Drill, Standard Nut and Bolt Company, Royal Brand Cutlery Company.

Mr. ARENS. And how many employees in toto would you say are represented?

Mr. PERRY. I would say around 1,500. It would vary, of course, with business conditions.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. PERRY. I decline to answer that question.

Mr. ARENS. Why?

Mr. PERRY. On the grounds of the first amendment and fifth amendment, that I don't think it is pertinent to this inquiry, that I think the congressional resolve setting up this committee is unconstitutionally vague. I think that this committee is engaged in exposure for exposure's sake and for other reasons.

Mr. ARENS. Have you ever discussed with the members of UE whether or not you are a Communist?

Mr. PERRY. I decline to answer that question.

Mr. ARENS. Is UE Communist controlled?

Mr. PERRY. No, it is not, sir. In my opinion it is not.

Mr. ARENS. Are there persons in official capacity in UE, officers, international representatives, and the like, who to your certain knowledge are Communists?

Mr. PERRY. I decline to answer that question.

Mr. ARENS. I should like to display to you now a little bulletin, UE News Bulletin:

ANOTHER SMEAR OPERATION

The infamous House Un-American Committee has subpoenaed a large group of people, several of whom are UE people, including myself, to appear before another one of their witch-hunt "investigations" this week in Boston.

This will undoubtedly be a repeat publicity performance and a rehash of all the outdated lies and smear attempts of the old McCarthyism days. It seems like more than a coincidence that these hearings are called in the midst of an IUE-CIO election raid against UE.

Then it goes on for the balance of the page, winding up:

I intend, as always, to defend this Union as the most democratic union in America. Our Union is not, and cannot, be "Communist controlled." Only the members themselves run and control this Union. Any accusation to the contrary by this Committee or by anyone else is a lie!

signed Douglas Perry, UE Field Organizer, dated March 18, 1958.

Did you prepare that leaflet, please, sir?

(A document was handed to the witness.)

(The witness conferred with his counsel.)

Mr. PERRY. Yes, I prepared this leaflet.

Mr. ARENS. Mr. Chairman, I respectfully suggest that this leaflet be appropriately marked and incorporated by reference into the record.

Mr. DOYLE. It will be so marked and incorporated.

(Document marked "Perry Exhibit No. 1," and retained in committee files.)

Mr. ARENS. If a labor organization is controlled by the Communist Party, Mr. Perry, it could not be a democratic union within the purview of the normally accepted meaning of that word, could it?

Mr. PERRY. Well, I think if a union were a Communist-controlled union, it wouldn't be recognized by the National Labor Relations Board. It would not be able to function as such or to negotiate contracts in certified plants or have elections or to operate in other ways that a union is entitled to operate otherwise—

Mr. ARENS. Now please answer—

Mr. PERRY. —and the officers of this union, to the best of my understanding, have signed non-Communist affidavits, and I have no reason to question them, and for that reason I believe that this union is not Communist dominated.

Mr. ARENS. Have you signed a non-Communist affidavit?

Mr. PERRY. No, sir. The staff members of unions are not required to do so.

Mr. ARENS. You talked about the officers signing a non-Communist affidavit, apparently trying to leave the clear implication that they are not Communists. Are there any officers of UE who to your certain knowledge are now Communists?

Mr. PERRY. No, sir.

Mr. ARENS. Are you a Communist?

Mr. PERRY. I decline to answer on the same grounds as previously stated.

Mr. ARENS. Do you know a man by the name of Matles?

Mr. PERRY. Is that a man, sir?

Mr. ARENS. James J. Matles?

Mr. PERRY. James J. Matles. Yes, sir. He is the director of organization of this union.

Mr. ARENS. Can you tell us whether or not he is, or has been, a Communist?

Mr. PERRY. I have no knowledge to that effect.

Mr. ARENS. Do you know a man by the name of Armando Penha?

Mr. PERRY. I decline to answer on the grounds of the first and fifth amendments.

Mr. ARENS. Armando Penha testified here before this committee that the overwhelming majority of the people, the workers in UE, the rank and file workers, I believe he said over 90 percent—it was a very substantial majority—are very definitely non-Communist, or anti-Communist, but there are Communists in UE, including yourself. And he took an oath and said he knew you as a Communist. Why don't you now while you are under oath and subject to the pains and penalties of perjury stand up there and say, "Of course, I am not a Communist"?

Mr. PERRY. Are you suggesting that, sir?

Mr. ARENS. Yes, I am, sir.

Mr. PERRY. I respectfully decline your suggestion. This gentleman, Mr. Penha, has stated a number of things that I don't feel are true.

Mr. ARENS. Was he truthful when he said he knew you as a Communist, was he truthful?

Mr. PERRY. I decline to answer that question.

Mr. ARENS. He said he knew that you furnished funds for the expenses of Communist Party activities in this area taken from the pockets of these workers in UE.

Mr. PERRY. And he committed perjury, and he lied when he said that, if that is what he said. At no time did I charge to this union any money, to my knowledge, that ever went to the Communist Party. And I want to make that clear.

Mr. ARENS. Do you want to go further and deny that you are a Communist or have been a Communist?

Mr. PERRY. That is an entirely unrelated question.

Mr. ARENS. Have you distributed—

Mr. PERRY. Do you want to talk about the dues of this union, how they are accounted for to our members, how the money is received, how it is spent?

Mr. ARENS. Are you paid a salary?

Mr. PERRY. Yes, sir.

Mr. ARENS. Then answer this question: Is there a person on the payroll of UE who is a Communist, who, to your certain knowledge, is taking money from the workers?

Mr. PERRY. No, sir.

Mr. ARENS. Don't you get a salary from the UE?

Mr. PERRY. Of course I do.

Mr. ARENS. Doesn't that salary come from the pockets of the workers?

Mr. PERRY. It comes from the same source as anybody else's salary in this union.

Mr. ARENS. Aren't you a Communist?

Mr. PERRY. Mr. Arens, you are not going to trick me into any such questions. You know my answer to that. You asked me two or three times already, and you have had your answer. And you get it again if you ask it again.

Mr. ARENS. Excuse me. Mr. Penha said that you were also active in the underground operation in and around New Bedford, and you were in contact with the underground in the New Bedford area. Was he in error about that?

Mr. PERRY. I don't know exactly what he means by that. But I will decline to answer it in any event.

Mr. ARENS. I beg your pardon?

Mr. PERRY. I decline to answer it.

Mr. ARENS. Why?

Mr. PERRY. The first and fifth.

Mr. DOYLE. Could I have that statement repeated, please?

Mr. ARENS. Mr. Reporter, would you kindly read that statement?

(The record was read by the reporter.)

Mr. ARENS. Have you ever announced to your members whether or not you are a member of the Communist Party?

Mr. PERRY. What I discuss with the membership of my union I think is none of the business of this committee, and is my concern and the concern of our members, and I don't think it is pertinent, either.

Mr. ARENS. Mr. Chairman, I respectfully suggest, in view of the reasons given by this particular witness for refusing to answer the question, that he now be ordered and directed to answer the question, as to whether or not he has discussed with the membership of UE the question of whether or not he is a member of the Communist conspiracy.

(The witness conferred with his counsel.)

Mr. DOYLE. I will wait until they get through with the conference between the witness and attorney.

Yes, Witness, I believe it is pertinent and instruct you to answer this question.

Mr. PERRY. My answer is the same, sir, under all the reasons I previously gave.

Mr. ARENS. Mr. Penha, kindly come forward and stand right here, would you, please?

Mr. PENHA. Right here, sir?

Mr. ARENS. Stand right over here, please. You are under oath, are you not?

Mr. PENHA. That is correct, sir.

TESTIMONY OF ARMANDO PENHA—Resumed

Mr. ARENS. While you are under oath, before God and this committee, tell us: Do you see in the hearing room now a person who was known by you to be a member of the Communist conspiracy, and on the Section Committee of New Bedford of the Communist Party?

Mr. PENHA. I believe I see more than one, sir.

Mr. ARENS. Do you see one sitting at the witness table?

Mr. PENHA. I certainly do, sir.

Mr. ARENS. Who is he, and point him out to this committee.

Mr. PENHA. (Complying) Douglas Perry.

TESTIMONY OF DOUGLAS NEIL PERRY—Resumed

Mr. ARENS. Mr. Perry, please look this man in the face, so there will be no faceless informer proposition when you return to your membership for your speech that is not under oath, and tell this committee, was this man here, this former agent of the Federal Bureau of Investigation, in this conspiracy, lying, or was he telling the truth just now?

Mr. PERRY. Are you asking me a question or telling me something?

Mr. ARENS. Mr. Chairman, I respectfully suggest that this witness now be ordered and directed to answer the question.

Mr. DOYLE. I think you understood his question, didn't you?

Mr. PERRY. I am sorry. Seriously, I didn't know if he was lecturing me or asking me a question. I am sorry. If he would kindly repeat it, I will attempt to answer it. Could you?

Mr. ARENS. Mr. Reporter, would you kindly read the question back to the witness?

(The record was read by the reporter.)

Mr. PERRY. Before I answer that question now, I would like to ask the committee's permission to cross-examine this witness.

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be ordered and directed and admonished to answer the question previously asked.

Mr. PERRY. I beg your pardon.

Mr. DOYLE. It is manifestly a pertinent question. I direct you to answer.

Mr. PERRY. Do I have the right to cross-examine this witness or don't I?

Mr. DOYLE. We will determine that later. You answer the question.

Mr. PERRY. I decline to answer it on the grounds as previously stated.

Mr. ARENS. Mr. Chairman, we have no further questions of this witness at this time.

Mr. DOYLE. General Kearney?

Mr. PERRY. Do I have the right to cross-examine this witness, or do I not? I am requesting that right. I have a lot of questions to ask this man. I think he told a few lies under oath.

I pointed out one of them, and I am prepared to point out some of the others, if I am given the opportunity. I would like to go back to my local union and report on this situation, and I think my members will back me up, because they know Mr. Armando Penha from their own experience.

Mr. KEARNEY. If you want to make a speech, go out in the hall.

Mr. DOYLE. You are making a fine grandstand play in view of this. Of course, if you notified our counsel, or if your lawyer had notified us, that you wanted an opportunity to cross-examine, we might have arranged it. Do you see?

Mr. PERRY. I might have, if I knew you were going to pull this grandstand play by confronting him.

Mr. DOYLE. You apparently knew it, because your filthy bulletin here showed you expected surprise witnesses. You gave your mem-

bers notice that we would pull some surprise witnesses, right here, in your own paper, right here in your own language.

Mr. PERRY. So I think I am entitled to expect a right to cross-examine this so-called surprise witness, star witness, cowitnesses, and co-stars.

Mr. DOYLE. Have you any questions, General Kearney?

Mr. KEARNEY. I suggest if the witness wants to make a speech he go out in the hall.

Mr. PERRY. I suggest that I have sat here and heard these Congressmen and counselors make speeches, and whenever a witness had an answer that lasted more than fifteen or thirty seconds, it seemed that it was speechmaking.

I think this committee does not afford its witnesses an adequate opportunity to state their position and answer their questions, and I don't think you intend to, and I don't think you are here for that purpose.

Mr. ARENS. You don't like this committee, do you?

Mr. PERRY. I certainly don't, and I am not afraid to tell you why.

Mr. DOYLE. Mr. Perry?

Mr. PERRY. Yes, sir.

Mr. DOYLE. May I just say a word or two to you? I can't help but as an incumbent Congressman, who is always endorsed by organized labor in California—and I am proud of it—except the Communist controlled unions, if there are such, or the Communist members in such, I cannot help but resist and resent your malicious false statements, in this sheet, that you have entitled "Another Smear Operation."

I think my record in Congress for these twelve years, as far as voting is concerned, establishes that I have not, and never have had, any intention of victimizing organized labor or any member in it. However, I have had the intention, and still have the intention, of trying to help organized labor.

(The witness conferred with his counsel.)

Mr. DOYLE (continuing). Will you listen to me just a minute, or do you want to consult with your lawyer? I will wait until you get through.

Mr. PERRY. I am sorry, sir. I was listening.

Mr. DOYLE. I do intend to continue to try to help organized labor to clean up the filthy part of the unions, which in part is controlled or infiltrated by identified Communists.

Now, you have made charges in here that are absolutely false, as far as this committee is concerned, when it comes to your alleging in this bulletin to your members that we intend to victimize any person or any union, UE included. But we would not have called you here, manifestly, to put you to the expense and trouble of hiring distinguished counsel, and so forth, nor would we have come here and called you if we did not think we had reliable, sworn testimony, identifying you as a member of the Communist Party.

Mr. PERRY. Apparently, sir, if I may say, you must believe Mr. Penha and not me.

Mr. DOYLE. We do believe him.

Mr. PERRY. So I don't think I stand much of a chance in front of this committee. The cards are pretty well stacked.

Mr. KEARNEY. You did not answer. You declined to answer.

Mr. DOYLE. Wait a minute. Mr. Perry, we did believe him or else we would not have called you.

Mr. PERRY. That is right.

Mr. DOYLE. There is no question about that.

Mr. PERRY. That is right.

Mr. DOYLE. That is one reason we called you.

Mr. PERRY. It certainly is——

Mr. DOYLE. Be frank and answer my question: Of course, you have the chance also, very simply, to deny or affirm whether or not——

Mr. PERRY. But not the right to cross-examine your witness; is that right?

Mr. DOYLE. Well, it is not a matter of cross-examination. It is a matter of "Yes" or "No," whether or not you are a member of the party.

Mr. PERRY. Very simple.

Mr. DOYLE. Very simple, for you to tell the truth, whatever the truth is.

And one thing more, and you know as well as I do, without me reminding you of it, because you have been in organized labor a long time, and you are a very well-informed gentleman—I happen to know that——

Mr. PERRY. Thank you, sir.

Mr. DOYLE. In the field of organized labor. But you know as well as I do that the pattern throughout the United States in organized labor is this: that the Communist Party tries to infiltrate the control of organized labor, CIO-AFL, UE Machinists. The record shows. The known record shows it does. That is their policy.

Mr. PERRY. Well——

Mr. DOYLE. It is to try to use American organized labor for their own filthy motives and principles.

Now this committee in this hearing is engaged, when we called you and others, to find whether or not UE, your local, or your State organization, was in any way infiltrated by Communists.

(The witness conferred with his counsel.)

Mr. DOYLE (continuing). Because the record shows that whenever a union is infiltrated enough by Communists, they project and perpetuate the Communist Party principles instead of American organized labor principles, because they are not consistent with each other.

Now that is one reason we called you and we believe it is pertinent because we are engaged in the study of possible legislation that will make it as difficult as possible for Communists to infiltrate and take control of American organized labor.

I have one more statement. You know, of course, when it is proven that a union is dominated by Communists it can't function before the National Labor Relations Board.

Mr. PERRY. You are not saying that has been proven in the case of UE, are you, sir?

Mr. DOYLE. I am not saying it is. I am not charging it. I want to be more fair than you are in this bulletin. You did not know what you were talking about in this sheet.

Mr. PERRY. Your opinion, sir.

Mr. DOYLE. In many ways. That is my opinion.

Mr. PERRY. You are entitled to it, sir.

Mr. DOYLE. It makes a good appeal to your members, but it is not the truth.

I also know, and so do you, I believe, that there have been in the United States local unions and other unions which have been dominated and were dominated by communism at the time, and their officers swore false affidavits or they got out of the officership in order that they wouldn't have to swear any false affidavits before the National Labor Relations Board.

Mr. PERRY. I don't think that is the case in my union, sir; not to my knowledge, or with any locals I have anything to do with, sir.

Mr. DOYLE. I am not saying it is. I am saying if you have 1,000 members in your union at present——

Mr. PERRY. And they are proud to be members; I assure you.

Mr. DOYLE. What?

Mr. PERRY. They are proud of the fact that they are members of this union.

Mr. DOYLE. There is no doubt your union does a lot of good.

Mr. PERRY. Because they run this union themselves.

Mr. DOYLE. All right. And no doubt your union has done a lot of good for the rank and file.

Mr. PERRY. Certainly—they certainly have. It has tripled the wages.

Mr. DOYLE. But you can't tell me, Mr. Organizer, you cannot tell me you have 1,000 members in your union and you don't know a single one of them to be a Communist.

Mr. PERRY. I don't think I said that.

Mr. DOYLE. The counsel asked whether or not you knew of any Communists in your union.

Mr. PERRY. We have such a democratic union.

Mr. DOYLE. I understand.

Mr. PERRY. We don't worry about Fascists, Communists, Republicans, Democrats, or what-have-you.

These members themselves, by majority decision and full understanding and information, make their own decisions, and know what to do in their own interests, sir, and——

Mr. DOYLE. And of course, if you take the position your union members can be Communists, as far as you are concerned, then I understand more of your answers.

Mr. PERRY. Sir, the people who become members of our union are hired by the employers. Once they are hired by the employers they are eligible for membership in our union. We don't screen them; we don't put them through loyalty tests.

Mr. KEARNEY. That is right.

Mr. PERRY. If they wish to join our union and comport themselves in their own interest and the rest of the union they are welcome, and requested to do so.

Mr. KEARNEY. May I ask a question?

Is James Mathis——

Mr. PERRY. Matles, sir.

Mr. KEARNEY. —one of your officials?

Mr. PERRY. Yes, sir; he is the director of organization of the United Electrical Union.

Mr. KEARNEY. Is Matles under indictment in the Federal Court in Brooklyn?

(The witness conferred with his counsel.)

Mr. PERRY. My attorney informs me "No." I don't have any personal knowledge of it.

Mr. KEARNEY. Was it dismissed?

Mr. PERRY. Pardon? My attorney informs me that he is not under indictment in the Federal Court. Do you want to discuss it with my attorney? I think he is more qualified to do so.

Mr. KEARNEY. That is what I just asked him. Is it dismissed?

Mr. ROSENBERG. Mr. Kearney, Mr. Matles was indicted by Grand Jury in the District of Columbia in Washington, D. C. several years ago and was acquitted. The indictment was for violation of the contempt section which is applicable to this committee.

Mr. KEARNEY. That is not the indictment I referred to.

Mr. ROSENBERG. There is no other indictment.

Mr. KEARNEY. Maybe you are mistaken. The indictment I refer to was an indictment, as I understand it, charging James Matles, and it is for revocation of his citizenship.

Mr. ROSENBERG. That is no indictment, sir. I understand there is a civil proceeding against him.

Mr. KEARNEY. But there is a civil proceeding? There is a proceeding against him?

Mr. ROSENBERG. There is a proceeding against him, which is some—I don't know at what stage it is at present.

Mr. KEARNEY. Do you know Matles' correct name?

Mr. ROSENBERG. As far as I know it is James J. Matles.

Mr. KEARNEY. Well, I think you'd better investigate that, because it isn't.

Mr. DOYLE. Thank you, Mr. Perry.

Mr. PERRY. I hope you come to New Bedford and visit at our union office. We invite you, at our union meetings, and perhaps you would be interested to know how our union operates. They are democratic in the American fashion, sir, and I am proud of it.

Mr. DOYLE. Well, I still repeat that I never heard of a union of a thousand members in which there were not several handfuls of Communists, and I never heard of an industrial organizer, until today, of a local union of 1,000 members who did not know a single Communist in the union.

Now, you have the perfect roost so far as communism is concerned, to ferret it out.

Mr. PERRY. Apparently you see Communists under every bed, sir, and local unions.

Mr. DOYLE. I don't—

Mr. ARENS. You look in the mirror tonight and then get up tomorrow morning and tell your members while you are under oath whether or not the man you saw in the mirror was a member of the Communist Party.

Mr. PERRY. I will tell my members plenty of this committee, sir, and about the lies of this person by the name of Penha, and I will tell my members that this committee refused to permit me to cross-examine him.

Mr. ARENS. Will you tell your members whether or not Penha was lying when he swore here fifteen minutes ago that he knew you as a member of the Communist conspiracy? Will you tell them that was a lie?

Mr. PERRY. I will tell my members exactly what I choose to tell them, sir.

Mr. ARENS. Would you want to make that announcement now while you are under oath, so that the world can know what your position is—while you are under oath, and subject to the pains and penalties of perjury?

Mr. PERRY. What goes on in my union is not the concern of the rest of the world, sir.

Mr. ARENS. No, I am not talking about what goes on in your union. I am talking about whether you are now a member of the Communist conspiracy, as identified here by a live witness, under oath—

Mr. PERRY. That is the fourth time you asked me.

Mr. ARENS. —before this committee.

Mr. PERRY. I think that is the fourth time I answered your question, and I think the answer is clear.

Mr. ARENS. I want to make it clear for the record.

Mr. PERRY. I think the answer is clear and I don't think there is any necessity to answer again.

Mr. ARENS. I want to make sure that it is abundantly clear.

Mr. DOYLE. The witness is excused.

Mr. ARENS. The next witness, please, Mr. Chairman, will be Jerry Olrich.

Kindly come forward and remain standing while the chairman administers the oath to you, Mr. Olrich.

Mr. DOYLE. Witness, please raise your right hand.

Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. OLRICH. Yes, sir.

Mr. DOYLE. Take the witness chair, please.

TESTIMONY OF JERRY OLRICH,¹ ACCOMPANIED BY COUNSEL, WILLIAM P. HOMANS, JR.

Mr. ARENS. Kindly identify yourself, sir, by name, residence, and occupation.

Mr. HOMANS. Excuse me, Mr. Chairman, I have a deaf ear on my right side and I will move to the other side of the witness.

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. OLRICH. My name is Jerry Olrich. I live at 8 Dennison Street, Jamaica Plain, and I am a tool and die maker.

Mr. ARENS. Where are you employed, please, sir?

Mr. OLRICH. Mr. Chairman, I seriously would like to decline to answer that question for the following reasons:

As you know, business is quite poor, small businessmen—my employer is a small businessman who employs about fifteen men. He is having tough times, and without consulting him on whether he will remain, the company or not, I feel it is fair play not to create any notoriety for his company. He may lose his business, and I don't think it is really absolutely essential that this committee know the name of that company. It is a job shop. They just do odd jobs. It has nothing to do with national defense or anything like that, and I

¹ Voucher for witness fee signed "Jerome Olrich."

don't want to have to use the constitutional privilege because it is certainly not incriminating, but it is only in the sense of fair play, in keeping my employer's name out of the newspapers. If you please, I would like to be permitted not to answer that question.

Mr. DOYLE. Be as helpful as you can, Mr. Arens. We always do.

Mr. ARENS. Where do you live?

Mr. OLRICH. I live at 8 Dennison Street, Jamaica Plain, Ward 11.

Mr. ARENS. Have you ever lived at Roxbury?

Mr. OLRICH. I have never lived at Roxbury. I live in Jamaica Plain, Ward 11.

Mr. ARENS. Where is Jamaica Plain?

Mr. OLRICH. Jamaica Plain is the area of the city composed of Wards 10 and 11 of the city of Boston.

Mr. ARENS. Where were you born?

Mr. OLRICH. I was born in New York City.

Mr. ARENS. And a word about your education.

Mr. OLRICH. I was educated in the New York public schools. I went to New York University, received a bachelor's degree, did one year's undergraduate work there and two years of graduate work at Harvard University Graduate School.

Mr. ARENS. Do you have a master's degree?

Mr. OLRICH. No, I do not. I was studying for my Ph.D when my father died and I couldn't afford to continue and I had to go out and find a job to help support my mother.

Mr. ARENS. How long have you been employed at your present place of employment?

Mr. OLRICH. Two years, sir.

Mr. ARENS. What was your employment immediately prior to your present employment?

Mr. OLRICH. For the same reasons I gave before I don't think it is any point—they are all small people—

Mr. ARENS. Are you a small colonizer in these places?

Mr. OLRICH. If you think that earning a living working in a shop is a colonizer—

Mr. ARENS. I don't think that and did not suggest that.

Mr. OLRICH. If you know anything about tool and die makers, you know tool and die makers move around. That is the way you learn the trade and gain experience.

Mr. ARENS. Have you moved around quite a bit in New England?

Mr. OLRICH. No; in the city of Boston I probably had seven or eight jobs in the past twenty or twenty-five years.

Mr. ARENS. Have you been a colonizer for the Communist Party?

Mr. OLRICH. Colonizer—what do you mean by colonizing in the Communist Party? When I got out of school I went to work. I had to work for \$35 a week. If you remember, it was during the depression, and as a matter of fact, I may as well relate this, because one of the fellows in the shop told me about it.

In the 1930's, MIT graduates coming to these shops were begging for jobs for 40 cents an hour. I can't see anything subversive, suspicious about a man working for a living, and if he changes his job I certainly don't see any—

Mr. ARENS. I can't either. I agree with you one hundred percent, absolutely.

Mr. OLRICH. I am not a colonizer for any organization. I work in a shop because the conditions are good and I like it, so I work there. If the wages are good I stay there.

Mr. ARENS. Let us get back on the subject, please, sir. Are you now a member of the Communist Party?

Mr. OLRICH. I refuse to answer that question on the grounds of the first amendment and the fifth amendment and my rights under the Constitution.

I want to add that I picked up an old civics book last night, which I have right here, and, in fact, I forgot what the fifth amendment says.

It says nothing about incriminating one's self. It says no one will be forced to bear witness against himself. It also has a very interesting—

Mr. ARENS. I can shout you down, sir. I have been up against others just like you.

Mr. OLRICH. If you want to dismiss me from the stand—any time.

Mr. ARENS. Not at all.

Mr. OLRICH. You know I lost a whole day's pay, Mack, and I can't afford it.

Mr. ARENS. Yes. Have you ever been, or are you now, a member of the Communist conspiracy?

Mr. OLRICH. I refuse to answer that question on the grounds of the first amendment, my right of free association, and on the grounds of the fifth amendment to the Constitution, which guarantees my right to refuse to answer questions before a star chamber proceeding such as this.

If you read history, the history of the fifth amendment and studied it you would know it is explicitly put into our Constitution to protect people against people like King George, star chamber proceedings, torture proceedings, and there is a form of intimidation to call a man up and ask him where he works and intimidate him.

I've got a wife and kids to support and my political opinions are nobody's business but my own, and I want to say this, in all sincerity, that if the Congressmen on this committee, Mr. Keerney and Mr. Doyle, want to discuss—Congressman Keerney and Congressman Doyle—

Mr. KEARNEY. The name is "Kearney."

Mr. OLRICH. "Kearney." I'm sorry sir.

I have always been open and above board with people with whom I worked. I discuss my politics with them where I stand. Perhaps that is why I am being called here. Nevertheless, I want you to know I cordially invite you while you are staying in Boston to come down to my house for supper and sit down, and we will talk about my political opinions. But before a star chamber proceeding like this, with a man like Mr. Arens, who has a lot more experience than I will ever have, when he is trying to entrap me into answering the question in order to bring some sort of proceedings against me—even if I ever win a case, suppose I give an answer, how can I afford as a working man to go to court to hire a lawyer? I can't afford one now.

Mr. KEARNEY. If we accept your invitation to go to supper, will you tell us whether you have been a member of the Communist Party or not?

Mr. OLRICH. I won't give you a yes or no answer to that question. You come to supper—

Mr. KEARNEY. Then I won't come.

Mr. OLRICH. —and I want to tell you this, Congressman Kearney—

Mr. KEARNEY. "Kearney."

Mr. OLRICH. I am inviting you even though you are a Republican. I will have a lot to explain to my friends about that, the guys I work with.

Mr. KEARNEY. I wouldn't be seen associating with you if I were they.

Mr. ARENS. Now, sir, please tell this committee whether or not you know a person by the name of Armando Penha.

Mr. OLRICH. I refuse to answer that question on the grounds previously given.

Mr. ARENS. Mr. Penha for eight years was an undercover agent for the FBI, the greatest investigative agency in the world, serving in the Communist conspiracy, to get information to help protect this Republic. He swore a day or so ago that while he was in that Communist conspiracy he knew you, Mr. Olrich, as a member of the Communist Party and a member of the Boston Section Committee of the Communist Party here.

Was Armando Penha telling the truth or was he in error?

Mr. OLRICH. I refuse to answer that question on the grounds previously stated, and I think I have made myself pretty clear about my attitude toward this committee and I am certainly not going to answer questions pertaining to political opinions or associations regardless of what they are.

I sincerely invite the Congressman to come down and visit me.

Mr. KEARNEY. We decline the invitation because you will not tell us the truth.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that will conclude the staff interrogation of this witness.

Mr. DOYLE. Have you any questions General Kearney?

Mr. KEARNEY. I have no questions.

Mr. DOYLE. I think, Witness, you will have to recognize we were pretty good sports because we did not bring out the name of your employer. That is what you asked.

Mr. OLRICH. Frankly, I think that in all of us, and let me say this about congressmen particularly, I think there is fair play in all of us; and my employer, for example, said to me—I might as well let you know this. I don't think it is letting anything out.

He said: "Is this America, this calling of a guy to go before a committee on political things?"

I said: "I don't think it represents America. I think the American people will reject it as McCarthyism, and I think they will get less and less headway."

Mr. ARENS. If you boys ever take over—

Mr. OLRICH. I am talking to Congressman Doyle, sir. I am talking to Congressman Doyle, please, pal. I am trying to be as respectful as possible about this thing. After all, you know I am a United States—

Mr. DOYLE. Thank you very much.

Mr. OLRICH. You get what I mean. And I think you are being very fair about not mentioning the name of my employer and I think he appreciates it too.

Mr. ARENS. I respectfully suggest, Mr. Chairman, the next witness be Mr. Joe Chase.

Mr. Joe Chase, will you kindly come forward and remain standing while the chairman administers the oath to you.

Mr. DOYLE. Mr. Chase, will you please raise your hand?

Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth so help you God?

Mr. CHASE. I do.

Mr. DOYLE. Please take the witness chair.

TESTIMONY OF JOSEPH K. CHASE ¹

Mr. ARENS. Kindly identify yourself, sir, by name, residence, and occupation.

Mr. CHASE. My name is Joseph Chase. I live at 33 Mason Terrace, Brookline, and I am a railroad worker.

Mr. ARENS. Where are you employed Mr. Chase?

Mr. CHASE. Well, I looked over this little blue book you gave me here. I see, if I can find it, and it didn't say that you were going to legislate for any one particular company. So in view of that I would like to be excused from mentioning the name of my employer. It happens that the president of my company is having quite a lot of trouble as things stand without me adding to them in any way at this time.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness now be ordered and directed to answer the question as to where he is employed.

Mr. DOYLE. I direct you to answer the question. It is pertinent as a matter of identification.

Mr. CHASE. Well, there is a precedent here which you established only a little while ago sir.

Mr. DOYLE. I know. Your brother was here, too, wasn't he?

Mr. CHASE. No. I am not referring to my brother. I am referring to the previous witness.

Mr. ARENS. Mr. Chairman, I respectfully suggest again the witness be ordered and directed to answer the question.

Mr. DOYLE. Don't engage in the same sort of byplay, please.

Mr. CHASE. This isn't byplay. Your authorization don't call for you to legislate for any one particular company.

Mr. DOYLE. We will not take the time. That is the rule of the committee, and the rules of the——

Mr. CHASE. I can't find it here.

Mr. DOYLE. And the rules do not have to specify the name of every company in the United States we want to question about. We are questioning you and not your company. We are questioning your conduct and not your company's.

Mr. CHASE. You are here to gather facts. Am I correct on that?

Mr. DOYLE. That is right.

Mr. CHASE. The Government already has the facts. It is on my W-2 form, and the Internal Revenue knows where I work, and one Government agency at a time I think is enough.

I think you have every facility for finding that out if you want to find it out.

¹ Voucher for witness fee signed J. K. Chase.

Mr. KEARNEY. I would like to ask the witness a question, Mr. Chairman.

Mr. DOYLE. Go ahead, General Kearney.

Mr. KEARNEY. Are you a member of Lodge 631, the Brotherhood of Railroad Trainmen?

Mr. CHASE. Sir, if you are investigating unions——

Mr. KEARNEY. Just answer yes or no.

Mr. CHASE. I am not going to answer yes or no. I don't want to be bulldozed by some congressman that is trying to keep a committee going. I know you've got a big staff. I know there is a lot of unemployment. But I didn't come here to help you out on that score.

Mr. DOYLE. You are not as smart as you think you are in making that crack. It is a very uncomfortable thing for us to be here and have to call people like you.

Mr. CHASE. It is not very comfortable for me. I worked all night last night and I have been sitting here for three days.

Mr. DOYLE. We know it.

Mr. KEARNEY. Will you answer the question?

Mr. CHASE. Congress has a congressional committee that is investigating unions and it is headed up by a gentleman by the name of Senator McClellan, I believe, and if you want to go into unions, it doesn't say anything about it here.

Mr. KEARNEY. Are you under suspension from your local union at the present time?

Mr. CHASE. No, sir.

Mr. ARENS. Mr. Chairman, so that the record may be clear, I should like to now make it abundantly clear for purposes which may arise after this committee leaves Boston. One of the reasons why I am seeking to elicit from this witness a confirmation of his employment is that we understand that he is, or has been in the recent past, employed on a vital industry, namely, a railroad, the New York, New Haven & Hartford Railroad. We would like that confirmation from this witness so that if he does give us the confirmation, we, having testimony that he has been identified as a member of the Communist conspiracy, would like to take that information back to Washington to be appraised in connection with other information to perhaps preclude from vital communications, transportation, or other defense facilities, persons who are members of the conspiratorial operations directed from Moscow.

Now, Mr. Chairman, I respectfully suggest——

Mr. CHASE. Hold on.

Mr. ARENS. —that the witness be ordered and directed to answer that question.

Mr. CHASE. Could you shorten that up a little bit?

You mean you would like to get my job. Is that what you mean, Mr. Arens? You'd like to get my job? Is that what you are looking for?

Mr. ARENS. Mr. Chairman, I respectfully suggest——

Mr. CHASE. Are you looking for my job?

Mr. ARENS. —that the witness be ordered and directed to answer the question.

Mr. CHASE. May I ask the chairman? Mr. Doyle, are you looking for my job, Mr. Doyle?

Mr. DOYLE. No, we are not looking for your job.

Mr. CHASE. Thank you, Mr. Doyle. I am glad to learn that because I could see every evidence from the question of Mr. Director here that that is what he is getting after.

Mr. DOYLE. But we are interested in finding the extent to which the identified Communists——

Mr. CHASE. You said yesterday in addressing one witness that you already know the answers when you ask the questions.

Now this gentleman here said——

Mr. DOYLE. No. I didn't say that.

Mr. CHASE. —this gentleman here has named my employer and given it as much publicity as he desires. And of course a little publicity attaches to the committee at the same time, I suppose, and therefore it is a worthy objective.

Yes, sir, I do work for the New York, New Haven & Hartford Railroad and have been so employed for 15 years.

Mr. ARENS. In what capacity please, sir?

Mr. CHASE. Well, what is the importance of that sir?

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be ordered and directed at his peril to answer that question.

Mr. DOYLE. It is pertinent, Witness.

Mr. CHASE. I don't see where it is pertinent, Mr. Doyle.

Now, if you want to write a book on how to switch boxcars, I will give you every personal assistance that I can.

Mr. DOYLE. I direct you to answer, Witness.

Mr. CHASE. I don't see where it is pertinent what I do. I told you what my occupation was. It is a railroad worker and has been for 15 years.

Mr. ARENS. Does the record reflect an order and direction to the witness to answer the question?

Mr. DOYLE. I have directed him, Mr. Arens.

Mr. ARENS. I am going to proceed now to another question, Mr. Witness. You understand.

Mr. CHASE. I didn't hear that order, sir. I am without counsel here to check on that stuff.

Mr. DOYLE. I will repeat it Witness. I believe it is pertinent and order and direct you to answer that question.

Mr. CHASE. Well, I am a yard conductor.

Mr. ARENS. How long have you been so employed?

Mr. CHASE. Ever since I got out of the Army in 1946, around the beginning of 1946.

Mr. ARENS. A day or so ago Armando Penha, Mr. Chase, under oath, and before this committee, testified in effect that he had been an undercover agent of the Federal Bureau of Investigation in the Communist Party, and that in that capacity he knew you and identified you to a certainty while he was under oath as a person known by him to be a Communist and a member of the District Committee of the Communist Party in the Boston area.

Mr. CHASE. Mr. Doyle——

Mr. ARENS. Now, we would like to have you——

Mr. CHASE. I would like to ask the chairman a question.

Mr. ARENS. —avail yourself of the opportunity to affirm or deny that testimony.

Mr. CHASE. May I ask the chairman a question?

Mr. ARENS. Yes, sir.

Mr. DOYLE. Go ahead, Witness, ask it.

Mr. CHASE. Mr. Chairman, will the stenographer read the transcript of Mr. Penha's testimony please?

Mr. DOYLE. We do not have the transcript.

Mr. CHASE. You told me you know. Mr. Chairman, all I know is what I read in the papers.

Mr. ARENS. I suggest the witness now be ordered and directed——

Mr. CHASE. Why can't you read me the record? I wasn't here, sir. What kind of a hearing are you running here?

Mr. ARENS. This is an insult to the committee. I request, Mr. Chairman, that the witness be ordered and directed to answer the question at his peril.

Mr. CHASE. Excuse me. Excuse me. Wait a minute. I want to talk with the chairman.

Mr. ARENS. Mr. Chairman, excuse the witness and see what happens.

Mr. DOYLE. Witness——

Mr. ARENS. Mr. Chairman, please direct this witness to answer the question.

Mr. DOYLE. Witness——

Mr. CHASE. I want to talk to the chairman. You be a quiet a minute. You go into your act every time a man opens his mouth.

Mr. DOYLE. Witness, now listen——

Mr. CHASE. I want to ask the chairman why you can't read the transcript. I have been authorized to have——

Mr. DOYLE. You have asked me that question. If you will give me a minute I will answer it.

Mr. CHASE. Yes, sir. Go ahead.

Mr. DOYLE. Then keep quiet.

In answering that question you have a right to assume, I would say, that our director has asked you a question based on the testimony that actually was given.

Mr. CHASE. But not as reported in the newspapers sir.

Mr. DOYLE. Just a minute. It is not a newspaper story. Your answer is entitled to be based on the question the way it is asked.

Mr. CHASE. Well, I can. I recognize that. I recognize that. I know enough about the rules and all that. But I still want a ruling on my request, and I want the record to show that I requested that the transcript be read. I have attended 100 railroad investigations, and every time we ask to have the transcript read they cheerfully and honestly read it.

Mr. DOYLE. I notified you that the transcript is not yet written up.

Mr. CHASE. Then am I at liberty to discuss some portions of this gentlemen's question?

Mr. DOYLE. You are at liberty to assume——

Mr. CHASE. I will have to go by the newspapers. That is all I can go by.

Mr. DOYLE. You are not——

Mr. CHASE. The newspapers didn't say——

Mr. DOYLE. Just a minute. You are not entitled to go by the newspapers. I told you as a matter of law and right you are entitled to go by the question he asked you and to assume that that is the question you are to answer, and that that is what Witness Penha stated.

Mr. CHASE. Well, he is wrong, and I am calling it to your attention he is wrong. Do you want me to tell you where he is wrong on the record?

Mr. DOYLE. I direct you to answer the question asked by Mr. Arens.

Mr. CHASE. Why don't we look at the record?

Mr. ARENS. Mr. Chairman, I respectfully suggest that the interrogation of this witness now be concluded and that if the witness continues in his obstreperous offensive conduct toward this committee he be forcibly removed from the hearing room.

Mr. CHASE. Well, Mr. Doyle—

Mr. DOYLE. Witness, you are directed to answer the question. Now will you answer it? Will you answer the question? I have directed you to answer.

Mr. CHASE. Well, sir, I will avail myself of every privilege I have under the Constitution, that you have informed me you are all lawyers, and I suppose Mr. Arens is some kind of a lawyer, and I will avail myself under the privileges that are accorded to me under the first and fifth amendments to refuse to answer that question, but I would like to say this: That there is a lot of misinformation in that question, that it does not correspond with the record.

Mr. DOYLE. Just a minute. You refused to answer.

Mr. CHASE. No. I haven't refused to answer if he would give me the transcript.

Mr. DOYLE. He doesn't have it.

Mr. CHASE. When the transcript is ready.

Mr. DOYLE. Just a minute. I told you we didn't have the transcript or we would give it to you.

Mr. CHASE. Where is it?

Mr. ARENS. May we just conclude by asking you one simple question: Are you now, or have you ever been, a member of the Communist Party?

Mr. CHASE. I decline to answer that question based on the first and fifth amendments to the Constitution of the United States.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. CHASE. You just asked me that question, sir.

Mr. ARENS. No, I believe there is a distinction.

Mr. CHASE. Would you indicate it to me? I don't see it.

Mr. ARENS. First question was: Are you now, or have you ever been, a member of the Communist Party, which would encompass both past and present membership. You invoked your constitutional privileges as you have a right to do. I then asked you if you are now a present member of the Communist Party. Would you kindly answer that question?

Mr. CHASE. Well, I will invoke the same privilege on that question.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the interrogation of this witness.

Mr. KEARNEY. Mr. Chairman.

Mr. CHASE. Now,—

Mr. KEARNEY. Just a minute.

Mr. CHASE. I am sorry I interrupted you, sir, but I wanted to ask the chairman something.

Mr. DOYLE. Mr. Kearney.

Mr. CHASE. Go ahead Mr. Kearney.

Mr. DOYLE. Ask your questions, Mr. Kearney.

Mr. KEARNEY. Counsel has requested that the witness be escorted from the hearing room by the United States Marshal. I would further suggest that, in my humble opinion, the witness has been drinking prior to his appearance here and that his subpoena be continued with the thought that he might be brought to Washington for further testimony.

Mr. CHASE. Well, Mr. Chairman.

Mr. DOYLE. Well?

Mr. CHASE. I have two requests to make from you. May I make them now, sir?

Mr. DOYLE. Make it brief.

Mr. CHASE. All right. No. 1, that it says in the book here that if you people are agreeable I will be supplied with a transcript of the testimony.

Mr. DOYLE. All right. You are entitled to it. But we don't have it prepared yet.

Mr. CHASE. Thank you. One more request: That a doctor be immediately called to this room and that I be examined to see whether I am intoxicated to any degree, and I will expect Mr. Kearney to correct his statement if that is not true. Here—I am waiting for a physician.

Mr. KEARNEY. It is not a question of any degree. We are not interested in the degree.

Mr. CHASE. Here I am, ready for examination.

Mr. KEARNEY. I suggest that the request of counsel be carried out.

Mr. CHASE. That is a very tough thing to throw at a railroad man. You know yourself railroad men don't drink.

Mr. KEARNEY. That is the best one yet.

Mr. DOYLE. Witness, we will continue your subpoena to a further date. Your subpoena will continue in effect to a future date, and we will notify you of the date and place later.

You are excused.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the committee stand in recess until tomorrow morning because it is now after the hour of five o'clock. We have other witnesses and I respectfully suggest the Chair order all witnesses under subpoena for appearances today who have not been heard to reappear tomorrow morning.

Mr. DOYLE. All witnesses under subpoena are to return at 9:30 tomorrow morning.

The committee will stand in recess until 9:30 tomorrow morning.

(Whereupon, at 5:10 p. m., Thursday, March 20, 1958, the subcommittee recessed to reconvene at 9:30 a. m., Friday, March 21, 1958.)

INVESTIGATION OF COMMUNIST ACTIVITIES IN THE NEW ENGLAND AREA—PART 3

FRIDAY, MARCH 21, 1958

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Boston, Mass.

PUBLIC HEARING

The subcommittee of the Committee on Un-American Activities met, at 9:40 a. m., in courtroom No. 3, the United States Court House and Post Office Building, Boston, Massachusetts, Honorable Clyde Doyle, (acting chairman of the subcommittee) presiding.

Committee members present: Representatives Clyde Doyle, of California, and Bernard W. Kearney, of New York.

Staff members present: Richard Arens, staff director; George C. Williams and Frank Bonora, investigators.

Mr. DOYLE. The committee will please come to order.

Let the record show that General Kearney of New York and Doyle of California are both present, being a quorum of the subcommittee of three.

We will proceed, Mr. Arens, with the first witness.

Mr. ARENS. John Russo, kindly come forward.

Mr. DOYLE. Before I swear the witness, I want to say this:

The committee appreciates the very good cooperation we have had from the listeners in the courtroom these three days. This is the last day we will be here. We know that every person in the courtroom realizes that they are guests of the committee, and we will anticipate and expect from everyone the same helpful cooperation that we have had these three days; so that there will be no outbursts and no interruption of any kind.

Thank you very much.

Mr. ARENS. Mr. Marshal, would you kindly page John Russo?

The MARSHAL. John Russo. John Russo.

No answer.

Mr. KEARNEY. Call the next one.

Mr. ARENS. There is a possibility, Mr. Chairman, that Mr. Russo could be confused on the time. As you know, we are starting early today.

Is Mr. Roy Rogerson here?

Mr. ROSENBERG. Mr. Rogerson is expected here, sir. I represent him.

Mr. ARENS. He may be in the same status. He may be confused. We are starting early.

Mr. ROSENBERG. He is coming from New Bedford.

Mr. ARENS. Mr. Marshal, call Benning Maskiewicz.

The MARSHAL. Mr. Maskiewicz, are you here? Benning Maskiewicz?

No answer.

Mr. ARENS. Armando Penha.

Mr. DOYLE. I did not suppose this kind of wet weather would make New Englanders late or tardy when the gentleman from California is here on time, and a half hour earlier.

Mr. ARENS. Mr. Penha has already been sworn.

TESTIMONY OF ARMANDO PENHA—Resumed

Mr. ARENS. Mr. Penha, our purpose in recalling you this morning is to complete your testimony. As you know, over the course of the last two or three days we had so many witnesses that in our principal testimony we were able to cover only part of the area that we wanted to interrogate you about.

I should like to invite your attention now, if you please, to the general subject of the Communist Party underground operation, and permit you, if you please, sir, to proceed at your own pace, to give us the details on that, in summary form, and also give us the names and a word of characterization of each person who to your certain knowledge, has in the recent past been engaged in the Communist Party underground.

Mr. PENHA. Yes, sir.

Sir, I hope you will bear with me today. I feel much more exhausted as the days go by. So I will be a little slower, but at the same time I will get the point across.

Mr. ARENS. Perhaps it would be well if we would start, Mr. Penha, with the leadership of the underground in this area.

Mr. PENHA. Yes, sir. I would like to start with first Michael Russo. Michael Russo was district organizer, and was ordered to go completely underground.

Mr. ARENS. About when was that?

Mr. PENHA. That was approximately 1952. I would like to state for the record that while Michael Russo was underground, one of his major tasks was to guide the semi-underground and so-called mouth-pieces of the party that were out in the open. He was the one that was given directives at all times.

I would also like to state that while he was in the underground he changed his identity. I met him on several occasions. He used to use different places to meet and to sleep: Providence, Rhode Island, Attlebury, Greater Boston area, Martha's Vineyard, et cetera.

He, as I recall, had dyed his hair, grew a mustache, used glasses, wore a hat, which is something he never did, among other matters that he undertook to protect any possibility of disclosure of himself.

Mr. ARENS. Mr. Penha, may I just ask you from the standpoint of elementary presentation, what is meant by "going underground"? What does that phrase carry with it from the standpoint of actual operations?

Mr. PENHA. From the standpoint of actual operations, sir, it means that the party needs certain elements and outstanding members to be

out of circulation, so that they will not face possible arrest, as one of the cases. The other, that they are in a position to maneuver without being known as well.

Mr. ARENS. Now, who else to your certain knowledge in the recent past has been in the Communist Party in this area, in positions of leadership, first of all?

Mr. PENHA. Daniel Boone Schirmer, David Rosenberg, and Sidney Lipshires. I may add at this time, that the comrades were full-time paid functionaries while they were underground.

Mr. ARENS. What is the purpose of an underground operation by the Communist Party.

Mr. PENHA. The purpose of such activities is for those leaders to coordinate, direct and supervise the activities of colonization, infiltration, mass agitation, and other activities.

Mr. ARENS. May I ask a naïve question, to make the record a little clearer? Why do they go underground? Why don't they do all this above ground?

Mr. PENHA. Sir, with your kind permission I had this in mind since last night. I have been thrashing it around for some time. I would like if I may, not only to answer your question on that but to continue to use this term. In answer to your question, they went underground because the Communist Party is not a political party. It is a conspiracy. Secondly, I would like to ask you if I may, to refer to the Communist Party as a Communist conspiracy. I don't think it is worthy of the name "party."

Mr. ARENS. Kindly proceed at your own pace on a description of the underground operations in the New England area by the Communist conspiracy, and give us something of the techniques.

Mr. PENHA. I was wondering, sir, whether it would be an opportune time, although I have stated in the past, I believe, the names of some of these individuals.

Mr. ARENS. Yes; that is what I should like to have you do, if you please.

Mr. PENHA. Thank you, sir. The following persons I am going to mention were known to me during the entire eight years, as secret members of the Communist conspiracy.

Mr. ARENS. They were in the underground, is that correct?

Mr. PENHA. That is correct, sir.

Mr. ARENS. Proceed now, if you please, at your own pace.

Mr. PENHA. In one form or another they aided or abetted—they just followed the instructions of the top leadership, which I referred to before.

Incidentally, before I get into these names, Michael Russo, for example, had code names while he was underground; Sidney Lipshires, also, which only a few of us knew.

Mr. ARENS. Proceed, if you please, sir.

Mr. PENHA. Nathaniel Shelman. He was a colonizer for the purposes of colonizing the Aerovox Corporation, New Bedford, Mass., working from within, as instructed by the district. Andie Shelman, his wife, also a colonizer. She was very effective in establishing so-called Communist fronts along with other activities. She was very active in the New England Citizens Concerned for Peace, the New Bedford Peace Committee, the Progressive Party and other activities.

Mr. ARENS. Now, when you were talking about individuals in the underground, you do not mean necessarily that they obliterated their above-ground activities, do you?

Mr. PENHA. Absolutely not, sir. That is why I referred to them as secret members.

Mr. ARENS. In other words, a person whom you may be discussing, would have an open Communist Party activity, be perhaps an organizer or do any one of a number of things, propaganda and the like, above ground, but at the same time be operating in another phase of his life underground; is that correct?

Mr. PENHA. That is absolutely correct, sir. And further, his instructions were known to him or to her as coming directly or indirectly from the underground officials.

Arnold Schwartz, colonizer at the Wamsutta Mills.

Rosaline Schwartz, also another colonizer, his wife, who also participated in many of the fronts.

Geoffrey White. I think it is important to bear with me a second to get straight just on this particular person, because he is typical of many of the comrades that are colonizers. I think it was illustrated here in the person of Arnold Schwartz, but I would rather just talk about Geoffrey White at the present. That is a person, as intelligent as he is, a Harvard graduate, a person who became imbedded in communism, a hard-core Communist, who would stop at nothing to follow the party line and accept party discipline, went into industry, an industrial plant in Rhode Island, to work; subsequently he went to the South, again as a colonizer.

I may also add that Geoffrey White while in the role of a colonizer—and I think this is the important thing—he was able to reach the minds of the workers by being the editor of the paper in the plant.

He also was able to recruit at least two party members, to my knowledge; one Anthony DiBiase; the other, Jerry DiBiase.

The next person, Manuel Rego. Manuel Rego from Fairhaven, Mass., a long-standing Communist member, who was several years ago put on ice. By that I mean that he was put on ice because of the fact that no other member in the party except those very close to the leadership were to know that he was not to be tied into the Communist conspiracy any longer.

The purpose of that was we were to use his home for secret meetings, which we did many times.

Frank Mello, Massachusetts. Again, the use of his home on an identical basis as the previously mentioned Communist.

Mr. ARENS. Mr. Penha, may I suggest if you have already in your testimony identified a person who is in the underground, it would not be necessary to characterize him, but just mention his name again and proceed to the next name.

Mr. PENHA. Thank you, sir. Alex Leith, the so-called "brain" within the UE for the Communist Party, in charge of agitation and propaganda, an expert. He was sent out to the Square D strike for the party, not to settle the strike, but to create more agitation.

He also took part in other areas in New England on the same basis.

Walter Barry, from New York City, national coordinator of the National Textile Commission, a hard-core Communist.

Douglas Perry—I believe I could speak on this conspirator for hours if we had the time.

Robert Goodwin, very fortunately for our country that while he performed his duties as a colonizer within the GE plant in Lynn, he was exposed and, subsequently, he was either forced to resign or he was fired. However, he did take a very active part in the Metals Commission activities in the party after that.

Robert Handman, national coordinator or chairman of the National Textile Commission, New York City, a former colonizer himself in the South, a hard-core disciplined Communist.

Maud Russell from New York City, a specialist in Far East publications, going through the country at many times in many areas, just to raise the question of peace, peace for China, not for the United States.

Arthur Macedo, New Bedford, Mass. His home was also used for the purposes of a mail drop, that is, secret party documents that were sent to me, which I believe you gentlemen have one of the envelopes of, at his home, in order that I would be able to get it without the authorities knowing anything about it.

Kitty Heck, a member of the District Committee, imported from another state to work in this area, to maintain discipline and to act as a courier.

There were many techniques used in the underground apparatus. I believe it would take too long of our time, unfortunately, so I will just attempt to touch the highlights of some of them.

Mr. ARENS. Was Harold Lewengrub in the underground?

Mr. PENHA. Yes, sir; I had his name on another list here which I was going to raise. He was a driver and courier for the party.

Mr. ARENS. Now, I should like, if we have concluded with a general outline on the underground, to invite your attention to an area in which you have not previously testified, namely, the front groups in the New England area, which were controlled by the Communist Party. Would you please indicate each of several of these front groups and tell us the names of the comrades who were at the throttle in those groups.

Mr. PENHA. Yes, sir. First of all I would like to say in respect to front organizations, they more or less constitute one of the most popular and effective tactics of the party, to reach people in the broad scale. At the same time it is a means of bringing the party line to the public in such a form that they are not aware of it.

I believe an important phase that I should at this time state before I go on to the names is that members who are in such front organizations—and that is, members of the Communist conspiracy—gain experience in leadership and show whether or not they can take party discipline, so that they may be prepared for the future. It is a good proving ground in so far as the party is concerned.

Mr. ARENS. So this record may reflect an elementary definition of a front group, what do you mean by a Communist front group?

Mr. PENHA. By a Communist front group, sir, I mean a group that either is developed by the Communist Party, that is, originated by it, or one that the party gets into and eventually takes control of.

Mr. ARENS. May I inquire as to the purpose of the Communist Party in either creating front groups or in undertaking to take over an existing organization and make it subject to the will of the party? What is the objective of the party in doing that?

Mr. PENHA. They have several objectives, sir. One which I think is very elementary in the party but at the same time very pertinent, is that they utilize these front organizations for the purposes of attempting to see that the party continues to be legalized; in other words, to fight committees, such as this one here, in all forms and shapes, to fight particularly immigration laws that are pending or that have been pending in the past.

Mr. ARENS. Does the party use front groups for the purpose of disseminating the Communist Party line?

Mr. PENHA. That is right, sir.

Mr. ARENS. Does the party use front groups for the purpose of undertaking to engender at the crossroads a sentiment for the purpose of creating pressure on the Congress on specific issues?

Mr. PENHA. That, sir, I will make in reference to those various sections of the immigration laws. That is what I actually had reference to, sir. From my experience, they did it and they did a wonderful job at it.

Mr. ARENS. Does the party use front groups for the purpose of funneling funds from dupes and others of that variety into the party coffers, or for party purposes?

Mr. PENHA. My experience has been, sir, that it has secured many times money collected by so-called party fronts. First, in my experience, a great proportion of it was put into the party and then the rest placed in the fronts.

Mr. ARENS. What kind of a facade does the front group operate behind? What kind of names do they pick out for the organizations, in order to trap the unwary?

Mr. PENHA. I shall list a few that I recall. I respectfully ask you to bear with me as in the eight years I cannot recall too many of them, but I do have some here that I made notes of.

The New England Citizens Concerned for Peace.

Mr. ARENS. The New England Citizens Concerned for Peace. That is a very laudable-sounding name.

Mr. PENHA. Who isn't for peace? That is what the Communists say.

Mr. ARENS. Now, tell us about that organization, and who ran it and for what purposes.

Mr. PENHA. The purposes of that committee were for just one thing and one thing only—put pressure on Congress against UMT.

Mr. ARENS. UMT—Universal Military Training?

Mr. PENHA. That is correct, sir. The Korean War they felt was not to the advantage of the comrades in China and at the same time it offered them the opportunity to undermine and harass our public officials in the Government at large.

Mr. ARENS. Was the New England Citizens Concerned for Peace controlled by the Communist conspiracy?

Mr. PENHA. There is no doubt whatsoever in my mind about it, sir.

Mr. ARENS. Who were these people in the conspiracy who controlled the organization?

Mr. PENHA. Sir, before I answer that question, I would like to say this:

In many organizations, as you are well aware, throughout the country, party tactics are not to have the figurehead as a Communist.

It would defeat its purpose. But rather, to have Communists in key positions to do the job well.

In the New England Citizens Concerned for Peace, Florence Tam-sky, from the Boston area, was very effective.

Mr. KEARNEY. Is she a member of the Communist Party?

Mr. PENHA. I beg your pardon, sir?

Mr. KEARNEY. Is she a member of the Communist Party?

Mr. PENHA. At all times that I knew her she was a member of the party, yes, sir.

Mr. KEARNEY. I wish when you mention these persons, you would state whether or not they were members of the Communist Party.

Mr. PENHA. Sir, I shall only mention—

Mr. ARENS. Let us have a blanket understanding that you will not identify here on this record today any person who was not, to your certain knowledge known to be a hard-core member of the Communist conspiracy.

Mr. PENHA. May I say that was just what I was going to answer the Congressman.

Mary Figueirido, from New Bedford.

Frances Hood, that is Otis Hood's wife.

Jean Bellefeuille. I would like to take a moment just to more or less show the tactics of the party.

Mr. ARENS. Would you hesitate a moment until we see if we have a right spelling. Is that J-e-a-n B-e-l-l-e-f-e-u-i-l-l-e?

Mr. PENHA. Yes, sir. He is from Whitman, Mass. I would like to point out in the person of Jean how the party operates within a front.

The party in advance, when they held its conference here in Boston, arranged different types of panels, that is, labor panels and others of the like. I attended the labor panel. The chairman of that panel was Jean.

Needless to say he conducted the party line as chairman of that panel. That is what I mean by exercising their control in such organizations and in key positions.

Mr. ARENS. May I suggest we turn to another front organization?

Mr. PENHA. The New Bedford Peace Committee.

Mr. ARENS. That again has a very fine-sounding name. Everybody is for peace. Tell us about that organization and about persons who, to your certain knowledge were in control of that organization.

Mr. PENHA. I may add first that I was in complete charge of the New Bedford Peace Committee. However, I did not participate in it. I had other activities. My job was to see that the New Bedford Peace Committee did promote war, not peace.

Rozlyn Fishman, one of the key members of this committee—presently she is in Connecticut.

Edward Texeira, who, incidentally, represented the New England Citizens Concerned for Peace in New Bedford. I would like to take one moment here, sir, I think it is very important for all of us. We have been speaking about nationality groups and minorities. I think we should give the greatest gratitude and compliments to the Negro Elks Order in Boston. Edward Texeira was instructed to infiltrate that organization. He did, and these distinguished members of this order somehow, somewhere, were aware of it after a time, that he did

some damage, and they subsequently expelled him, which shows that 99 percent at least of the Negro people are against communism.

Rosaline Schwartz was in that same committee.

Mr. ARENS. She was in the New Bedford Peace Committee?

Mr. PENHA. That is correct, sir.

Mr. ARENS. Is there another front organization which has been operating in the New England area which to your certain knowledge has been and is controlled by the Communist conspiracy?

Mr. PENHA. The New Bedford Committee to Fight Unemployment.

Mr. ARENS. There again we find a very laudable name—to fight unemployment. Tell us about that organization and the leadership of the organization.

Mr. PENHA. Well, first of all, this organization was set up at a meeting which took place with Sidney Lipshires, the district organizer, myself, and then subsequent meetings which we invited Douglas Perry to attend. Ironically, it started off as such a committee for unemployment, but where the party saw it was not getting too effective, we switched it over to the New Bedford Surplus Committee, so you can see the tactics of the party.

Mr. DOYLE. Did you change the name of the committee?

Mr. PENHA. It was sort of a subcommittee.

Mr. ARENS. Who ran the committee?

Mr. PENHA. It was in the responsibility of Douglas Perry, Roy Rogerson, and Olga Garczynski.

Mr. ARENS. All of whom have been known by you to a certainty as members of the conspiracy, is that correct?

Mr. PENHA. That is correct, sir.

Mr. ARENS. Is there another committee or organization which has been controlled by the Communist Party in this area which to your certain knowledge is a Communist front?

Mr. PENHA. The Massachusetts Committee for the Bill of Rights.

Mr. ARENS. Here again we see, do we not, Mr. Penha, a very laudable, lofty title?

Mr. PENHA. Sir, this committee was established for only one purpose, and that was to put all the pressure within its command, of the Communist conspiracy, to do away with the State Sedition Law, which I believe was passed in 1919 in Massachusetts, the 1951 law which outlawed the party in Massachusetts, the Smith Act, the McCarran Act, and Immigration Acts—numerous acts, everything, in other words, that was anti-Communist, in order to preserve the legal status of the party.

Mr. ARENS. Would you kindly tell us the names of those persons who controlled the organization, who to your certain knowledge are members of the conspiracy?

Mr. PENHA. Nathaniel Mills, Florence Luscomb, Mary Carlson, Herbert Zimmerman—these are just a few of them.

Mr. ARENS. Is there another organization operating in the New England area which to your certain knowledge is controlled by the Communist Party?

Mr. PENHA. Another past committee is the Boston Committee to Secure Clemency for the Rosenbergs.

Mr. ARENS. The Rosenbergs were Julius and Ethel Rosenberg who were executed for treasonable acts: is that correct?

Mr. PENHA. That is correct, sir.

Mr. ARENS. Kindly tell us the members known by you to be Communists, who were in control of that organization?

Mr. PENHA. I would say by and large, practically all of the people whom I have mentioned in the Boston area, and the other committees were active in this one.

Herman Tamsky was one of the head ones, but the others by and large were very active in it. However, I would like just to raise one point here:

In New Bedford we were very active for the Rosenberg affair. The party took advantage of the fact that the Pope made an appeal of some kind for clemency. As a result I worked closely with several people, that is, non-Communists, non-Communist Party people, many of them dupes, but one in particular, I do not wish to mention her name, because I will only mention Communist conspirators; however, this person was so fully convinced upon my various meetings with her to the extent that she sent a telegram to President Eisenhower offering her life in exchange for the Rosenbergs.

Mr. ARENS. Is there another organization which has been controlled by the Communist Party in the New England area, to your certain knowledge, and if so please give us the names of the comrades in charge of the operation?

Mr. PENHA. Progressive Party of Massachusetts. Walter O'Brien, who was the chairman of the Progressive Party in the State of Massachusetts.

Sam Appel, who was in charge for the Fall River area. Rosaline Schwartz, for the New Bedford area.

Mr. ARENS. Is there another front organization?

Mr. PENHA. Freedom of the Press Committee.

Mr. ARENS. That is a very laudable title, is it not, to have freedom of the press?

Mr. PENHA. You know, sir, that is one thing that has always baffled me. Even though I became a top leader in the Communist Party, I couldn't understand where the word "Freedom" came in in that Press situation.

Mr. KEARNEY. Let me ask you this question with reference to this committee for freedom of the press:

Were any of these individuals who were on this committee members of the press themselves?

Mr. PENHA. Sir, to my knowledge, the meetings that I attended of the Freedom of the Press Committee, I never met one that was not a Communist conspirator.

Mr. KEARNEY. In other words, the average hard-working member of the press had nothing to do with this committee at all, did he?

Mr. PENHA. He would have no way of getting into the place. He would not know where the place of meeting was, to start with. He would not know just who to see and if he was fortunate to get through those two stages, he would never be fortunate enough to sit down and have the privilege, as they have here.

Mr. ARENS. Is there another organization which, to your certain knowledge, has been controlled by the Communist conspiracy?

Mr. PENHA. The Labor Youth League.

Mr. ARENS. That is the successor organization to the American Youth for Democracy; is it not?

MR. PENHA. The American Youth for Democracy; that is right, sir. The Labor Youth League is nothing more than young Communists.

When they have been properly indoctrinated, when the party has felt that they are ready to accept assignments and discipline, then they are promoted into the Communist conspiracy.

John Russo has been the head of it; and Ann White, of Providence, Rhode Island, is responsible for that area.

Joan Lipshires was for a time in charge throughout the New England area for it, too.

MR. ARENS. Is there another organization known by you to be controlled by the Communist conspiracy in the New England area?

MR. PENHA. There is very unfortunately the Clube Alianca Liberal Portuguesa.

I say very unfortunately, because, as I stated the first day, less than one percent of the people of Portuguese extraction in the New Bedford area—and I am sure this is true elsewhere—are anti-Communist.

MR. ARENS. Perhaps you could help us on our record by spelling the title of that organization.

MR. PENHA. C-l-u-b-e A-l-i-a-n-c-a Liberal would be the same as English, and actually Portuguesa, which you can say Portuguese, which is—it is the same.

MR. ARENS. You said a moment ago, if my recollection serves me correctly, that a very high percentage of them were not anti-Communist. You mean they *were* anti-Communist, do you not?

MR. PENHA. If I said that, I did that with—

MR. ARENS. A slip of the tongue?

MR. PENHA. I thought I did say "anti-Red," I think. If you read that back I am quite sure I did.

MR. ARENS. I want to be quite sure the record is straight on that.

MR. PENHA. There is no doubt in my mind on that, sir.

MR. ARENS. Now kindly give us the names of the principal leaders of this organization who to your certain knowledge are Communists?

MR. PENHA. The leader in this club is John Cordeiro who happens to be the father-in-law of Douglas Perry. He has held official positions on the club. There are other persons in the club who were in the past Communist members, but as I stated before, I would only mention those as being in the party during my time, even though they have admitted to me and to district officials, that they were party members. I will not reveal them unless ordered to.

MR. ARENS. How many members are there in the club?

MR. PENHA. I would say between 65 to 80.

MR. ARENS. And how many of those members are Communists?

MR. PENHA. One.

MR. ARENS. And does the Communist Party control the policy of the club, notwithstanding the overwhelming majority who are not Communists?

MR. PENHA. Absolutely, sir. That club has had during the past years persons like Elizabeth Gurley Flynn speaking there, Nat Mills, Joseph Figueiredo, Anne Burlak Timpson, Eulalia Figueiredo, and, of course, myself, at that time.

Oh, I would like to make a correction here, sir. That club has an auxiliary, a woman's auxiliary. Mary Figueirido was a member of that auxiliary, and she held also official positions.

Mr. ARENS. Are there any other organizations operating in the New England area which to your certain knowledge are controlled by the Communist conspiracy?

Mr. PENHA. Sir, I am sure there are more. My memory at the present—

Mr. ARENS. May I suggest for consideration by yourself the organization, Save Our Sons Committee.

What was the purpose of that organization, and was it controlled by the conspiracy?

Mr. PENHA. It was absolutely controlled, sir. The purpose of that was again another technique that the party devised in order to put across its propaganda and its party line which otherwise would not be possible.

Mr. ARENS. Who headed the committee? It was headquartered in Chicago, was it not?

Mr. PENHA. That is correct, sir. I am trying to think of the name.

Mr. ARENS. Then there was a unit here; is that correct?

Mr. PENHA. Yes; the unit here is what I am trying to think of.

Mr. ARENS. Could you tell us about another organization, the American Committee for Protection of Foreign Born?

Mr. PENHA. I don't know how I missed that one. The American Committee for Protection of Foreign Born.

What can I say about this committee—it is the number one, the right arm of the Communist Party in developing its tactic of mass agitation, propaganda, and defending the legal status of the party.

Mr. ARENS. Did you know that we in our committee, in the course of the last year, have uncovered 200 organizations which the American Committee for Protection of Foreign Born has itself created? We call these, fronts in front of the front. Two hundred organizations in fifteen key states, created by the Communist conspiracy with all kinds of high-sounding names, all for the avowed purpose or for the secret purpose, at least, of bringing pressure on the Congress of the United States to emasculate the Immigration and Nationality Act, popularly known as the Walter-McCarran Act.

Mr. DOYLE. Mr. Arens, I think my recollection is correct, in connection with that committee for the protection of the foreign born.

We have heard sworn testimony, uncontradicted, that that committee in certain states has as its executive, fulltime, salary-paid officials, members of the Communist Party, who have been convicted in our highest court in violation of the Smith Act.

Mr. ARENS. Yes, sir; and the head of that committee is Abner Green, international Cominform agent.

Mr. PENHA. I may add in this area, Olive Sutton has been responsible for the activities of that committee. She is the wife of Alex Leith.

I would like to raise an interesting point here on the American Committee for Protection of Foreign Born.

During the time of Eulalia's arrest, we had, as I recall, about three committees working, one the American Committee for Protection of Foreign Born, the other one, as you are well aware, the National Women's Appeal For the Rights of Foreign Born Americans, which is another branch of the same group, and the other one the Committee—I don't recall the exact words of it, but something like New

Bedford committee to help Eulalia Figueiredo, something like that, which again was instructed by the party, as a branch of the American Committee for Protection of Foreign Born.

Mr. ARENS. In addition to the front groups—and I know a number of others that you have told us about, and we will not take time to explore them on this public record—have the comrades been under instruction to penetrate and undertake to influence legitimate organizations within the New England area?

Mr. PENHA. Yes, sir.

Mr. ARENS. Can you give us two or three illustrations of that?

Mr. PENHA. Well, I think a few minutes ago I jumped the gun on one, and that was the Negro Elks Order here in Boston. That was a legitimate organization, which a party colonizer was to infiltrate. Fortunately for the Chapter, they didn't succeed as well.

Mr. ARENS. Mr. Penha, I should like to ask you for just a word, from the standpoint of clarifying the record, on the use of membership cards by the conspiracy. Mr. Williams will lay before you a copy of a document which you have submitted to us previously, and ask you to kindly identify that document.

(Document handed to the witness.)

Mr. PENHA. Yes, sir.

Mr. ARENS. Give us a word of characterization of that document, please, an explanation of it.

Mr. PENHA. This, sir, much to the surprise of the rank and file Communist, was one of the systems that the top leadership in New England used for the purpose of registration.

On this card there would be certain information that would be pertinent to the party. Unaware to the member he would give it without knowing that the organizer was going to put it on here because no record was supposed to be kept.

Mr. ARENS. In other words the party itself has its own information system; is that correct?

Mr. PENHA. It has a very airtight one, too, I may say.

Mr. DOYLE. Is there any address on that card where it is to be filed or registered?

Mr. PENHA. Absolutely not, sir.

I should, if you would like, to just raise some points that are on the card, along each line:

Section for code name; age; sex; Negro; occupation; Union; Mass organizations—what they mean by this is the front organizations and legitimate organizations that they can possibly infiltrate. In-club—that means whether a party member belongs to an industrial club or community club. Then it has SW, DW. That means whether or not he takes the Sunday Worker or the Daily Worker, whether directly or indirectly.

Mr. DOYLE. In other words, that which you have read is printed right on the card?

Mr. PENHA. That is right on the card. That is made by the district.

Incidentally, sir, I would like also to point out that on the back of the card you will see Number 19 in red. This was known as Registration Code Number 19 in the district. Please don't ask me how I have it in my hands, and they were not able to find out what happened to it, for security reasons of techniques.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the document which has just been identified by the witness be appropriately marked and incorporated by reference in this record.

Mr. DOYLE. It will be so marked and incorporated in the record.

(Document marked "Penha Exhibit No. 6" and retained in committee files.)

Mr. ARENS. Mr. Penha, I understand that there are names of a dozen or so people who to your certain knowledge have been in the apparatus in each of several general categories, and I should like you to kindly proceed with your identification and characterization of each of those several persons, so that you may complete your testimony.

Mr. PENHA. Tillie Texeira. She is the wife of Edward Texeira. She was very active in the Boston area with the meat packers union. That is where she exerted her influence and control under party directives.

Peggy Schirmer, Daniel Boone Schirmer's wife.

Alice Mills, wife of Nathaniel Mills from Lynn.

Louis Johnson from Colorado, who came to this area and participated in party defense activity. I believe at the present he is back in Colorado.

Pearl Russo, wife of Mike Russo.

Bonita Russo, very active in the Labor Youth League and subsequently married its leader, John Russo.

David Lubell. I believe it would be beneficial if I gave the other brother, because the information in the identification area coincides completely with both of them, in order to save time.

Jonathan Lubell. I first met with them some time in the early part of 1952, I believe it was January or February, at a secret meeting which was held in Dorchester, with these two brothers, who incidentally are twins.

Mike Russo and myself met with them. On the agenda was the matter of agitation and propaganda and influence of college students in this area. I would like to raise this point.

Both of these twins were Harvard students at the time, and organizers for the party at the same time. They had influence, as I recall, they reported, in the following colleges or universities, that is, within the student bodies—I am not referring to the faculties.

Mr. ARENS. Did you know over in Lawrence, Massachusetts, Tony Passaretti?

Mr. PENHA. I did, sir.

Mr. ARENS. Did you know him as a comrade?

Mr. PENHA. I certainly did.

Mr. ARENS. Tell us a word about him, please, sir.

Mr. PENHA. Tony is a section organizer for Lawrence area.

Mr. ARENS. Is he active?

Mr. ARENS. He has been active, but in the last few years has somewhat slowed down the pace. He has a lot of pressure put on him by the party to step it up.

Mr. KEARNEY. You say he lives in Lawrence?

Mr. ARENS. Yes, sir.

Mr. PENHA. That is correct, sir.

Mr. KEARNEY. At the present time?

Mr. PENHA. I would not say exactly at the present time because they could have changed in the last 24 hours or so.

Mr. KEARNEY. You have named other individuals, have you not, who are members of the party, living in the city of Lawrence?

Mr. PENHA. I have here to identify, sir—I don't recall any other. What you have in mind, sir, is when I identified the New England District Committee I placed Tony Passaretti in there as being a member of the New England District Committee, from Lawrence. I think that is where your recollection stems from.

Incidentally, on these twin brothers there was an amount of \$150 turned over as dues collected, to Mike Russo at that meeting. Fifteen students from Harvard had paid their dues and six from MIT.

Mr. ARENS. What year was that? Could you help us in that, please sir?

Mr. PENHA. That was in the very early part of 1952. I would like to say if I may at this time, I do know that they are practicing law today, I believe, in the New York area. I think that it is the duty of the New York Bar Association to call both of these conspirators before the bar and direct them to answer the question whether or not they have been conspirators, because I think it is a disgrace to the legal profession to have such persons in it.

Martha Stone, National Committee member.

Emil Asher. At the time, he was in New Jersey, he attended with George Sheldrick one of the National Textile Commission meetings. Incidentally he is the husband of Martha Stone.

Phil Bineau, UE organizer.

Eileen Breen, Scituate, Mass. Her home has been used for secret meetings. She has been very active in the various Communist fronts that I have mentioned. She is also the mother of Joan Lipshires.

Barbara Rosenkrants, the wife of Paul Rosenkrants. She was at one time section organizer for Springfield area.

Carl Carlson, Scituate, Mass. I believe I established his wife as being in the party, a few minutes ago, Mary Carlson.

I would like to take one minute on another technique of the party.

The Carlsons had a home which they were renovating. They wanted a new heating system. It came to the attention of Sidney Lipshires. At that time I was employed at Simon's Supply Company. Sidney Lipshires came to me and said, "What is the possibility of buying all the implements that are necessary for a heating system from beginning to end, the whole works at wholesale price for Comrade Carlson? He will come down and pick it up."

"And, as a result of that, the difference between the retail price, he will give it to the party."

I said I would go along with it provided—One, I could obtain permission from my employers without revealing anything whatsoever to do with the Communist conspiracy; that I was doing this as a personal friend or relative.

Secondly, if New Bedford would be credited with that quota, because we all had quotas to meet.

They did agree on that and subsequently that was done and we got the difference between the cost of the retail and wholesale.

Here is another device and technique that the party uses in getting money, too.

Edmund Izzo, originally from Lawrence, but then in the Boston area for some time.

Dr. Abe Cohen, from Quincy. The gentleman—and I don't know why I say "gentleman," was in charge of the first subleadership group in 1951, in the district—I believe October of '51.

Bess Jones, Boston area.

Sir, there are many other names but I think we just can't keep up on names.

Mr. ARENS. You have, of course, been in session with us extensively, both in executive session and in the numerous consultations. I wanted the public record here to reflect those additional names of persons who to your certain knowledge have been in each of several categories in the conspiracy in the last few years.

Mr. PENHA. Yes, sir; I appreciate it, sir.

Mr. ARENS. Now, Mr. Chairman, I respectfully suggest, in view of the fact we have two or three other witnesses we want to hear this morning before the recess, that we conclude the staff interrogation of this witness.

I respectfully suggest for obvious reasons, that this witness be maintained under a continuing subpoena for an indefinite period of time, Mr. Chairman.

Mr. DOYLE. That will be the order and direction.

Mr. PENHA. Sir, may I just make two observations, if I may, Mr. Chairman?

Mr. DOYLE. Yes.

Mr. PENHA. Mr. Chairman, I would appreciate it. Thank you very much.

First of all, I would appreciate deeply if this committee in some way or another could instruct, request or direct the United States Marshal to subpoena the mimeograph machine in my home. It would further decrease that much more propaganda that the party would put out. Otherwise I am powerless. I will have to turn it over to them if they demand it.

Another thing that I would like to raise is that during the course of these hearings, in my humble opinion, although I know you gentlemen are doing a tremendous job, one that is subject to harassment and a lot of sacrifice, I think this committee deserves not only my congratulations but the country's. I do not know of any committee or any subcommittee in the entire Congress that can match it. I am very proud of each and every one of you that I have been associated with since January and subsequently, since I came here.

I also would like to at this time speak in reference to the Federal Bureau of Investigation.

They are what you might call my employers. They, I believe, merit the highest praise that any possible human being can give. Other than this committee, I do not know of any organization that can match or in any way compete in this fight against communism. Many Americans can go to bed at night, sleeping in peace, because its agents have fulfilled their jobs very well. They have treated me very, very well. I have learned much from them. I have respected them. I think in the person of J. Edgar Hoover and all of his agents—and I would not like to mention any of them for fear of leaving any one out, that they are very deserving, every single one of them.

Lastly, and I do not know if I am out of order—if I am, please correct me—but through my experiences in the party I feel that in some of the laws there are some loopholes. I am sure you gentlemen are aware of that, but the suggestions I have here are based on party experience.

I would like to propose that either I would turn them over or I would read them, one way or the other.

Mr. ARENS. You, of course, have discussed each one of these with us in consultations, Mr. Penha?

Mr. PENHA. Yes.

Mr. ARENS. I suggest for purposes of the public record you might quickly allude to each of several of them. We have been most grateful to you for your suggestions, observations, and comments on that score in private consultations. Would you just proceed for a few minutes, and touch on them for the public record?

Mr. PENHA. Yes, I will. Then that will conclude my talk.

Mr. ARENS. Thank you.

Mr. PENHA. It should be considered an offense for anyone who should sign the loyalty oath, or subsequently has resigned from the Communist Party, that is, on that day or the day before, and subsequently is readmitted into the party the following day after he signs—a practice in the party. That should be deemed an offense.

Mr. ARENS. Mr. Penha, I wonder if you, in view of the time element, could summarize in just a second or two the general nature of your suggestions, all of which we have in our files and will give careful consideration to.

Mr. PENHA. All right sir. One is in reference not only to false names, but relative to educational and occupational background in applications, such as in the case as we saw yesterday on Schwartz. I think there is a loophole there, because colonizers utilize that.

I think our immigration officials should be in foreign countries at the point of origin, where under our quota system an immigrant wants to come into this country, that officer should know something about his background. That is another method of the party getting people in here.

Mr. ARENS. You have seen, and we have discussed with you the principal provisions of H. R. 9937, have we not, Mr. Penha?

Mr. PENHA. Yes, sir.

Mr. ARENS. What are your observations on that bill, on the basis of your background and experience?

Mr. PENHA. I think it is excellent. All I can say, sir, is that I wish that every American would write in to his Congressman demanding, not requesting, but demanding that every single section be inserted, and that it become law. It is one of the key elements that we need in order to airtight the Communist conspiracy network.

Mr. ARENS. Mr. Penha, I regret to be obliged to conclude with you here, but as you know, we are pressed for time. On behalf of the staff we do want to publicly as we have privately, express our deep appreciation to you, our admiration, for the work which you have done, not alone in connection with this committee, but basically, to serve your Nation.

That will conclude the staff interrogation, if you please, Mr. Chairman.

Mr. DOYLE. Thank you again, Mr. Penha. And your recommendations on legislation are especially appropriate because of your experience, and of course, under the law, and our charter, we are duty bound to make a study and an investigation of every possible improvement in Federal legislation in the field of subversive activities.

So we know you will continue to give the benefit of your knowledge in this field to our staff and our committee.

Thank you and best wishes to your family as well as to you.

Mr. PENHA. Thank you very kindly, Congressman. You have been a tremendous help.

Mr. DOYLE. Mr. Arens, while I continue the subpoena of this witness in effect to an indefinite period, I meant to announce yesterday, that we are also continuing for an indefinite period the subpoena of Mrs. Foster, who testified yesterday as a former FBI agent, and so that will be the order; that that subpoena also be continued in full force and effect for an indefinite period.

Do you have your next witness?

Mr. ARENS. If you please, Mr. Chairman, Mr. Roy Rogerson. Kindly come forward and remain standing while the chairman administers an oath to you.

Mr. DOYLE. Mr. Rogerson, if you please, raise your right hand and be sworn.

Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ROGERSON. Yes, sir.

Mr. DOYLE. Thank you.

TESTIMONY OF ROY ROGERSON, ACCOMPANIED BY COUNSEL, ALLAN R. ROSENBERG

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. ROGERSON. My name is Roy Rogerson. My address is 41 Sycamore Street, New Bedford, Massachusetts.

Mr. ARENS. Your occupation? I don't believe we got that, please, sir.

Mr. ROGERSON. I work in the Morse Twist Drill and my occupation is a pickler.

Mr. ARENS. You are appearing today, Mr. Rogerson, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. ROGERSON. That is right.

Mr. ARENS. And you are represented by counsel?

Mr. ROGERSON. I am.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. ROSENBERG. Allan R. Rosenberg, 209 Washington Street, Boston.

Mr. ARENS. Mr. Rogerson, are you an officer in UE Local 277?

Mr. ROGERSON. I am not.

Mr. ARENS. Have you ever been an officer in UE Local 277?

Mr. ROGERSON. Not that I recall.

Mr. ARENS. Have you been active in UE Local 277?

Mr. ROGERSON. As of late? What do you mean by "active"?

Mr. ARENS. Are you a member of the local?

Mr. ROGERSON. I am a member of Local 277.

Mr. ARENS. How long have you been in Local 277?

Mr. ROGERSON. Since its inception. I believe it is in 1941. I am not sure of the date.

Mr. ARENS. Have you held any post or office in UE?

Mr. ROGERSON. I believe I was an executive board member a number of years ago.

Mr. ARENS. Are you now or have you ever been a member of the Communist Party?

Mr. ROGERSON. I take my privileges of the first amendment—first and fifth amendments.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. ROGERSON. I take my privileges on the first and fifth amendments.

Mr. ARENS. The gentleman who preceded you to the witness stand, Armando Penha, testified under oath that he knew you as a member of the Communist Party and cited a number of your activities in the Communist Party. We should like to give you an opportunity now to deny those allegations about yourself while you are under oath. Do you care to avail yourself of that opportunity?

Mr. ROGERSON. I take my privileges on the first and fifth amendments.

Mr. ARENS. Did you ever run for public office?

Mr. ROGERSON. First and fifth amendments. I decline to answer.

Mr. ARENS. Have you ever been a leader in the Progressive Party in this vicinity?

Mr. ROGERSON. I decline to answer; same grounds.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. DOYLE. General Kearney.

Mr. KEARNEY. I have no questions.

Mr. DOYLE. I have one question, Witness.

Did you ever attend any meeting of UE members at the time you were a member of UE which meeting was made up of members of UE known to you to be Communists, in order to caucus as to what you would do at the UE election? In other words, did you ever participate in a caucus of UE members, who were known to you to be Communists?

Mr. ROGERSON. The members of Local 277 which I belong to, run their union. The final decisions are theirs.

Mr. DOYLE. But did you attend a caucus of members of the UE known to you to be Communists?

Mr. ROGERSON. That question is too vague to answer.

Mr. DOYLE. It is not very vague.

Mr. ROGERSON. Because I am a member of Local 277, I meet with—

Mr. DOYLE. Yes.

Mr. ROGERSON. I am a member of Local 277, sir.

Mr. DOYLE. Yes. Did you meet in a caucus of members of Local 277 known to you to be Communists in order to discuss and determine what the union should do? Now, that is not vague or ambiguous. Even your lawyer will tell you that.

(The witness conferred with his counsel.)

Mr. ROGERSON. It is too vague and I refuse to answer it, and I will take my privileges and also I will use the Watkins amendment—

(The witness conferred with his counsel.)

Mr. ROGERSON (continuing).—decision. I am sorry.

Mr. DOYLE. That is all for the witness.

Mr. ARENS. The next witness, if you please, Mr. Chairman will be Philip Westley Lefavour.

Please come forward.

Mr. DOYLE. Will you please raise your right hand and be sworn?

Do you solemnly swear that you will tell the truth and nothing but the truth, so help you God?

Mr. LEFAVOUR. I do.

TESTIMONY OF PHILIP W. LEFAVOUR,¹ ACCOMPANIED BY COUNSEL, ALLAN R. ROSENBERG

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. LEFAVOUR. Philip Lefavour, 37 South Terrace Street, Beverly, Massachusetts. Occupation, a machinist.

Mr. ARENS. Where are you employed?

Mr. LEFAVOUR. United Shoe Machinery Corporation.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. LEFAVOUR. I am.

Mr. ARENS. And you are represented by counsel?

Mr. LEFAVOUR. Yes, sir.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. ROSENBERG. Allan R. Rosenberg, 209 Washington Street, Boston.

Mr. ARENS. Mr. Lefavour, are you now or have you ever been a member of the Communist Party?

Mr. LEFAVOUR. Mr. Director, I think that is an invasion of my rights of association, guaranteed under the first amendment of the Constitution, against any inquiry by yourself.

Mr. ARENS. Is that the only reason that you—

Mr. LEFAVOUR. The relevancy of my associations to the subject matter that you are pursuing is decided in the Watkins case.

Mr. ARENS. Is that the only reason you give?

Mr. LEFAVOUR. First amendment and the Watkins case.

Mr. ARENS. I should like to explain to you the pertinency of the question.

The Communist Control Act of 1954 precludes certification by the National Labor Relations Board of any organization which is found by the Subversive Activities Control Board to be Communist-controlled.

It is our information, sir, that you are and have been a member of the Communist Party; that you have been active in UE. If so, it is pertinent to the inquiry of this committee to ascertain the facts, so that this committee can go back to Washington, D. C., and appraise the operation of the Communist Control Act of 1954, which is just now beginning to get into operation administratively.

¹ Voucher for witness fee signed "Philip W. Lefavour."

Now, sir, kindly answer the question.

Are you now or have you ever been a member of the Communist Party?

Mr. LEFAVOUR. I decline to answer that question for the reasons stated.

Mr. ARENS. Mr. Chairman, I respectfully suggest—

Mr. LEFAVOUR. Plus—Just a moment, if you want to pursue it further—plus the guarantees that I have under the fifth amendment against giving you any information that may tend to expose me, degrade me, or any such things as are noted in the fifth amendment.

Mr. ARENS. Let us get that clear on this record. We are not trying to expose you or degrade you. We are trying to get facts.

Do you honestly apprehend, sir, if you told this committee truthfully whether or not you are now or ever have been a member of the Communist Party you would be supplying information which might be used against you in a criminal proceeding?

Mr. LEFAVOUR. I am not apprehensive of furnishing any information that would necessarily find me guilty of any crime because I have committed no crime, but I am apprehensive of the use of some witnesses that this committee can whip up that I cannot possibly meet, causing me to go through expensive and bothersome litigation, which I think satisfies the fifth amendment.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question.

Mr. DOYLE. I direct you, Witness, to answer the question. It clearly is pertinent and proper, even under the Watkins case.

(The witness conferred with his counsel.)

Mr. LEFAVOUR. Mr. Chairman, I respectfully decline on all grounds that I have previously stated to the Director.

Mr. ARENS. Give us your educational background, please, sir.

Mr. LEFAVOUR. Primary schools, Somerset, Pawtucket, Rhode Island; Marlboro, Mass.; Salem and Beverly, Mass. A year and a half of high school in Beverly, trade school in Beverly, which is a vocational school to train machinists, and Suffolk Law School.

Mr. ARENS. You have an LL. B. degree in law, do you not?

Mr. LEFAVOUR. I have.

Mr. ARENS. Now, sir, I should like to display to you a document. It is entitled "Affidavit of Noncommunist Union Officer," signed Philip W. Lefavour, filed pursuant to the National Labor Relations Act.

"I am a responsible officer of the union named below. I am not a member of the Communist Party or affiliated with such party. I do not believe in, and I am not a member of nor do I support any organization that believes in or teaches, the overthrow of the United States Government by force or by any illegal or unconstitutional methods. United Electrical, Radio & Machine Workers of America, UE Local 271, Philip W. Lefavour."

This is signed and sworn to before a Notary Public, February 9, 1951. Kindly look at that document, if you please, sir, and see if you could not accommodate the Committee on Un-American Activities by verifying the authenticity of your signature.

(Document handed to the witness.)

(The witness conferred with his counsel.)

Mr. LEFAVOUR. Mr. Director, I will decline any comment, under the Watkins—under the first and under the fifth, any comment whatsoever on that affidavit.

Mr. ARENS. Did you tell the truth when you affixed your signature under oath to this affidavit?

Mr. LEFAVOUR. I decline for the same reasons.

Mr. ARENS. Would you accommodate the Committee on Un-American Activities by giving us now, a copy of your signature, so there may be a comparison with the exhibit which I have just displayed to you.

Mr. LEFAVOUR. I don't believe that I am obliged to furnish even my signature.

Mr. ARENS. Were you under date of February 9, 1951, the day on which you signed this document, a member of the Communist Party?

Mr. LEFAVOUR. I decline for all the reasons which I have previously enumerated to discuss that affidavit in any of its respects.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the document which I have just displayed to the witness be appropriately marked and incorporated by reference in this record.

Mr. DOYLE. May I ask: Is that affidavit sworn to?

Mr. ARENS. Oh, yes it is, Mr. Chairman.

Mr. DOYLE. Before a Notary Public or someone equally qualified?

Mr. ARENS. Yes, Mr. Chairman.

Mr. DOYLE. It will be so received and so marked.

(Document marked "Lefavour Exhibit No. 1" and retained in committee files.)

Mr. ARENS. Have you ever made a passport application?

(The witness conferred with his counsel.)

Mr. LEFAVOUR. Yes, I have, sir.

Mr. ARENS. And when did you make a passport application?

Mr. LEFAVOUR. The closest I can give you would be the month. I think it was in April.

Mr. ARENS. What year, please, sir?

Mr. LEFAVOUR. 1951.

Mr. ARENS. I should like to display to you now, if you please, sir, a photostatic copy of your passport application, and see if you would not be kind enough to accommodate the committee on Un-American Activities by verifying the authenticity of your signature?

(Document handed to the witness.)

Mr. LEFAVOUR. I will acknowledge that.

Mr. DOYLE. You acknowledge that? May we understand that you say you would acknowledge that signature as yours?

Mr. LEFAVOUR. Yes, I do.

Mr. DOYLE. Thank you.

Mr. ARENS. Where did you seek to go when you made this passport application?

Mr. LEFAVOUR. When I made the passport application, I made it on the knowledge that I had a trip that should have included six countries. That was the information that I got. The names of the six countries were not given by me because they were not yet determined.

Mr. ARENS. What were those six countries you were going to go to?

Mr. LEFAVOUR. The only country I knew about at the time was that we would go to France.

Mr. ARENS. No, no. What were the six countries?

Mr. LEFAVOUR. That eventually were decided on?

Mr. ARENS. Yes.

Mr. LEFAVOUR. I believe they included France—I mean, that was a tentative schedule—it wasn't fulfilled. France, Czechoslovakia, Russia, Poland, Italy, and England.

Mr. ARENS. And for some reason or other, only France appears on this passport application. Can you give us a word of explanation on that?

Mr. LEFAVOUR. I have given it to you once and I will give it to you again. I think if you listen carefully you will get the gist of it.

At the time I made application for the passport, the only knowledge I had was that this trip was going to be arranged to include six countries, although those countries had not been scheduled. I was to go to France and from France they were to make arrangements with some other country to take us. When we got there they were going to try to make arrangements with another country of our own selection to take us.

Mr. ARENS. Did you know or learn, prior to the time of your departure from the United States, that you were going to go into countries other than into France?

Mr. LEFAVOUR. Did I learn from the United States?

Mr. ARENS. No, sir. Did you learn? Did you acquire knowledge prior to the time that you left the United States that you were, on your trip, to go into countries other than France?

Mr. LEFAVOUR. I knew that I was going into countries other than France, but I didn't know which countries.

Mr. ARENS. Did you notify the State Department that you had to revise your plans a little bit, that you decided not just to go to France?

Mr. LEFAVOUR. That is not what I told the clerk when I filled out the application. She wanted to know how I was going.

Mr. ARENS. No. Let us stay right on the point here.

Mr. LEFAVOUR. I am getting to your point, if you would like me to clear it up.

Mr. ARENS. Let us start over again. On your application that you filed on April 16, 1951, with the State Department, you told them you were going to take a little visit to France, didn't you?

Mr. LEFAVOUR. I did not.

Mr. ARENS. It is on your application.

Mr. LEFAVOUR. That was the only destination I knew for sure I was going to go to. That was where I was going to land and start from.

Mr. ARENS. That was the country to be visited, and you wrote down "France"; is that correct?

Mr. LEFAVOUR. That is right.

Mr. ARENS. All right, sir. The next question is: When did you learn you were going to visit some countries other than France?

Mr. LEFAVOUR. The specific countries I learned over in Paris, the day after I arrived there.

Mr. ARENS. When did you learn that you were going to visit some country other than France?

Mr. LEFAVOUR. Without knowing the identity of the country?

Mr. ARENS. Yes.

Mr. LEFAVOUR. I knew that at the time I had my passport.

Mr. ARENS. Did you know it as of the time you filled out this application?

Mr. LEFAVOUR. Yes; and I so instructed the clerk. She said: "What countries?", and I said "I don't know."

(Document marked "Lefavour Exhibit No. 2," and retained in Committee files.)

Mr. ARENS. Kindly tell this committee under whose auspices you took this trip.

Mr. LEFAVOUR. Do you mind if I refer to this note here?

Mr. ARENS. Go right ahead.

Mr. LEFAVOUR. The Committee to Survey Labor Conditions in Europe.

Mr. ARENS. Who asked you to go?

Mr. LEFAVOUR. I can tell you who he was, and he had some connection with the committee. He was a local representative, but I don't know just what his capacity was—a fellow by the name of McCarty.

Mr. ARENS. Do you remember his first name?

Mr. LEFAVOUR. Robert McCarty.

Mr. ARENS. Did this [American] Committee to Survey Trade Union Conditions in Europe pay your expenses?

Mr. LEFAVOUR. I believe the committee paid for the round trip ticket from New York to Paris. That was my understanding.

Mr. ARENS. And by what route did you go?

Mr. LEFAVOUR. I went over by BOAC.

Mr. ARENS. Who accompanied you on the trip?

Mr. LEFAVOUR. Nobody.

Mr. ARENS. Who joined you when you arrived in Paris?

Mr. LEFAVOUR. The balance of a delegation who had gone over either one or two days before me.

Mr. ARENS. Did you recognize people in the delegation whom you had known prior to the time of your arrival in Paris?

Mr. LEFAVOUR. The entire delegation were strangers to me. I had never seen any of them.

Mr. ARENS. Could you tell us the names of some of the people in the delegation whom you met while you were in Paris?

Mr. LEFAVOUR. I think I can remember some of them.

Mr. ARENS. Was Irving Velson one of them?

Mr. LEFAVOUR. Irving Velson? I don't recall any such name on that delegation.

Mr. ARENS. All right, sir. When did you take this trip, the first part of the trip, when you went by BOAC?

Mr. LEFAVOUR. It started the 23rd of April.

Mr. ARENS. Tell us what arrangements were made after you got to Paris for you to go on the next lap of your trip.

Mr. LEFAVOUR. When I got to Paris the delegation sat down one afternoon and laid out the tentative trip. This was agreeable with the majority of them but not to myself, and that is where they decided they would like to go to Czechoslovakia, Poland, Russia, Italy, France and England. That followed, I think the purpose that was announced to me, that before I left, that we should go to three Marshall Plan countries and three non-Marshall Plan countries for the sake of making a comparison of the situation of the working people of these countries.

Mr. ARENS. Did you go with the delegation beyond Paris to Czechoslovakia?

Mr. LEFAVOUR. I went to Czechoslovakia and I went to Russia, and there I left the delegation and I came back by myself.

Mr. ARENS. Who paid your expenses from Paris to Czechoslovakia?

Mr. LEFAVOUR. I am only guessing at this, but I understand that when we were in France, the French union footed the bill. When we were in Czechoslovakia, the Czechoslovakian union footed the bill, and likewise in the subsequent countries. The unions in the respective countries paid the expenses.

Mr. ARENS. Did you notify the American Embassy in Paris that you were going to travel from France, behind the Iron Curtain, into Czechoslovakia?

Mr. LEFAVOUR. I don't believe that it is necessary, to answer your question.

Mr. ARENS. I didn't understand.

Mr. LEFAVOUR. To answer your question, we didn't do it. At least, I didn't do it, because the restricted places of travel were enumerated on the passport, and I think the only restrictions I can remember of was—might have been—was it Bulgaria at the time?

Mr. ARENS. How many people were in the delegation in Paris, approximately?

Mr. LEFAVOUR. I believe I can give you the exact number. I think it was eighteen, including myself.

Mr. ARENS. Who paid your expenses when you arrived in Moscow?

Mr. LEFAVOUR. The AES. It is the Soviet trade unions.

Mr. ARENS. Did the Soviet trade union people give you money, rubles?

Mr. LEFAVOUR. No, they didn't.

Mr. ARENS. Where did they put you up?

Mr. LEFAVOUR. I can get this confused with the hotel in Czechoslovakia, the two hotels—one was the Imperial and one was the National. I don't remember just which was which.

Mr. ARENS. Did you join in a statement or statements issued by this trade union delegation while you were in Moscow?

Mr. LEFAVOUR. Did I join in a statement?

Mr. ARENS. Yes, sir.

Mr. LEFAVOUR. Of what nature—what are you talking about?

Mr. ARENS. Any statement, sir, a statement by the delegation.

Mr. LEFAVOUR. Do you mean like to the Russian Radio or Russian press?

Mr. ARENS. To the world, from Moscow.

Mr. LEFAVOUR. No.

Mr. ARENS. Was a statement issued from Moscow by the delegation?

Mr. LEFAVOUR. That I don't know. I left—well, I left there before they were half way through with their trip. I don't know.

Mr. ARENS. Did you survey the trade union conditions in Soviet Russia?

Mr. LEFAVOUR. You've read this book, haven't you?

Mr. ARENS. Would you kindly answer the question?

Mr. LEFAVOUR. Yes. But so that you will understand my answer I am going to recall to you in this book, to the extent of my survey it was on the theory—

Mr. ARENS. Was on what?

Mr. LEFAVOUR. On the theory of their setup. I didn't have enough time to go around there to the factories and make an extensive visit.

Mr. ARENS. You went all the way to Moscow to visit the factories and then after you got there you didn't have time to visit them; is that correct?

Mr. LEFAVOUR. That is correct.

Mr. ARENS. Now, sir, while you were in Moscow were you a member of the Communist Party during this period?

Mr. LEFAVOUR. Mr. Director, this will be the third or fourth time that I have given you a direct answer on this type of question. It was the first question you asked me: "Am I now or have I ever been?" and I am going to decline now on the same grounds I declined the first time.

Mr. ARENS. Did you while you were in Moscow have time to ask them over there to show you the slave labor camps?

Mr. LEFAVOUR. That question was asked, but of course even in your book I don't believe there would be any slave labor camps within the city limits of Moscow. And since I didn't have time to leave there, I didn't establish by myself, or at least settled for the answer they gave us. Of course, they denied the existence of any slave labor camps.

Mr. ARENS. They said there were no slave labor camps?

Mr. LEFAVOUR. That is correct.

Mr. ARENS. It is all American propaganda?

Mr. LEFAVOUR. That was their version, yes.

Mr. ARENS. Did you believe them?

Mr. LEFAVOUR. They gave an explanation. I said, "You must do something, you know, with the people that you can't keep in line." They said, "We have correctional institutions the same as you have jails in the United States." Now, let me give you—

Mr. ARENS. Did you ask them about the 20,000,000 people they have shot down, just mowed down like they were wheat in Kansas, in the course of the ascendancy of this awful thing called communism in Soviet Russia? Did you ask them about that?

Mr. LEFAVOUR. I didn't ask them about that.

Mr. ARENS. That was not within the purview of your inquiry?

Mr. LEFAVOUR. Was that the figure—20,000,000?

Mr. ARENS. Approximately sir.

Mr. LEFAVOUR. But it has gone up a lot since, I imagine?

Mr. ARENS. Who in this delegation, to your certain knowledge, were members of the Communist conspiracy, who went on this trip?

Mr. LEFAVOUR. To my certain knowledge, being in a delegation of entire strangers to me, if I told you any name at all I think I would be violating the principles of fair play of this committee. I have no knowledge of any of them.

Mr. ARENS. I suggest you may want to read the hearings of this committee on that. About half of them have been identified, under oath, by live witnesses, as members of the Communist conspiracy.

Now, sir; did you return by yourself from Moscow?

Mr. LEFAVOUR. I did.

Mr. ARENS. And after you returned to the United States, did you join with the others in any kind of a statement respecting the conditions of the trade unions in Soviet Russia and in the Iron Curtain countries?

Mr. LEFAVOUR. No. The only statement I made was, I made my own report, and I believe that report, as far as I know, was never

collaborated in by the rest. Whether they joined in this one or not, I don't know.

Mr. ARENS. Did you subsequently report to the State Department that, although when you left the United States you told them that you were just going to visit as a tourist in France, you happened to wind up in Moscow?

Mr. LEFAVOUR. I think that formality was taken care of when I landed at Idlewild Airport.

Mr. ARENS. What happened to your passport when you landed at Idlewild Airport?

(The witness conferred with his counsel.)

Mr. LEFAVOUR. When I landed at Idlewild Airport, I don't know the name of the officer, but he checked where I had been.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. DOYLE. General Kearney?

Mr. KEARNEY. I have no questions.

Mr. DOYLE. I have just two brief questions.

Mr. LEFAVOUR. Yes, sir.

Mr. DOYLE. How long were you in Moscow or in Russia?

Mr. LEFAVOUR. Six days, sir.

Mr. DOYLE. Did you fly back to the United States?

Mr. LEFAVOUR. I flew—not directly. Do you mind a little explanation of why I left?

Mr. DOYLE. I wondered if you came by plane or by boat?

Mr. LEFAVOUR. Oh, plane.

Mr. DOYLE. All the way?

Mr. LEFAVOUR. All the way, yes, sir.

Mr. DOYLE. The witness is excused. Thank you.

Mr. ARENS. The next witness, if you please, Mr. Chairman, will be Mr. Benning Maskiewicz.

Mr. LEFAVOUR. Mr. Chairman, would you care for a copy of the report I made?

Mr. DOYLE. No; we have several copies of it.

Mr. ARENS. Benning Maskiewicz, please come forward. Kindly stand while the chairman administers an oath to you.

Mr. DOYLE. Will you please raise your right hand?

Do you solemnly swear that you will tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. MASKIEWICZ. I do.

Mr. DOYLE. Thank you.

TESTIMONY OF BENNING¹ MASKIEWICZ

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. MASKIEWICZ. I am Benning Maskiewicz—

Mr. ARENS. Mr. Chairman, I am not certain, and my recollection does not serve me accurately, whether I requested the chair to order the documents which we had been using with the preceding witnesses to be appropriately marked and incorporated by reference in the record. If I have not asked that and the Chair has not ordered, I

¹ Voucher for witness fee signed "Benny" Maskiewicz.

would suggest that they be entered according to their introduction.

Mr. DOYLE. They will be so marked and incorporated.

(The documents referred to were filed for the record.)

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. MASKIEWICZ. I am Benning Maskiewicz. I live at 332 West 45th Street, New York City.

Mr. ARENS. You are appearing today, Mr. Maskiewicz, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. MASKIEWICZ. Right.

Mr. ARENS. You do not have counsel?

Mr. MASKIEWICZ. No.

Mr. ARENS. You know under the rules of this committee, you have the privilege of counsel.

Mr. MASKIEWICZ. That is right.

Mr. ARENS. What other names have you used besides "Maskiewicz"?

Mr. MASKIEWICZ. Benning Maskiewicz.

Mr. ARENS. How do you spell it, please?

Mr. MASKIEWICZ. M-a-s-k-i-e-w-i-c-z.

Mr. ARENS. Is that B-e-n-n-i-n-g?

Mr. MASKIEWICZ. That is right.

Mr. ARENS. Mr. Maskiewicz, where are you employed?

Mr. MASKIEWICZ. I work in a restaurant.

Mr. ARENS. Where?

Mr. MASKIEWICZ. 22d Street and 4th Avenue, in New York.

Mr. ARENS. And where were you born?

Mr. MASKIEWICZ. I was born in White Russia, as is this country today, at the time it was Tzar Nicholas—

Mr. ARENS. When did you come to the United States?

Mr. MASKIEWICZ. 1895.

Mr. ARENS. Excuse me—when did you come to the United States?

Mr. MASKIEWICZ. I came same time the Titanic sunk. It was 1912.

Mr. ARENS. Are you a citizen of the United States?

Mr. MASKIEWICZ. No, sir.

Mr. ARENS. Have you ever applied—

Mr. DOYLE. What is your answer?

Mr. MASKIEWICZ. No, sir.

Mr. ARENS. Have you ever applied for naturalization?

Mr. MASKIEWICZ. No, not yet.

Mr. KEARNEY. Not yet? How long does it take you to apply?

Mr. MASKIEWICZ. I have been here only 46 years, gentlemen.

Mr. KEARNEY. You have been pretty busy.

Mr. MASKIEWICZ. 46 years.

Mr. ARENS. Are you a member of the Communist Party?

Mr. MASKIEWICZ. What do you want me to say, gentlemen?

Mr. ARENS. Just tell us the truth.

Mr. MASKIEWICZ. I won't answer, gentlemen, I am going to answer all questions for myself, but I not going to answer no questions about any individual or individual group.

Now, I use my constitutional right of the first amendment.

Mr. ARENS. Have you another one you want to use?

Mr. MASKIEWICZ. Yes, and the fifth amendment.

Mr. ARENS. The fifth amendment?

Mr. MASKIEWICZ. That is right.

Mr. ARENS. Did you used to live in New Hampshire, Mr. Maskiewicz?

Mr. MASKIEWICZ. That is right.

Mr. ARENS. Over what period of time did you live in New Hampshire?

Mr. MASKIEWICZ. I live in New Hampshire forty years.

Mr. ARENS. Where did you live in New Hampshire?

Mr. MASKIEWICZ. Oh, well, my address was Nashua and Hudson.

Mr. ARENS. Do you know a lady by the name of Carol Foster, Mrs. Carol Foster?

Mr. MASKIEWICZ. Well, I even decline to answer.

Mr. ARENS. I don't think she would care if you told us you know her.

Mr. MASKIEWICZ. I don't care if she knows it too. Why I care?

Mr. ARENS. She took an oath here yesterday and said while she was an undercover agent in the Communist Party at the behest of the Federal Bureau of Investigation she knew you as a Communist. Was she telling the truth or was she in error?

Mr. MASKIEWICZ. Why I know if she tell the truth or she lie? It is not my business.

Mr. ARENS. Did she lie?

Mr. MASKIEWICZ. No. I don't say. I only say I use my right, constitutional right of the fifth amendment.

Mr. ARENS. Did you run an ice house in New Hampshire?

Mr. MASKIEWICZ. That is right; yes.

Mr. ARENS. Did you have the name around the community of "Benny the Iceman"?

Mr. MASKIEWICZ. That is right. They used to call me Benny the Iceman—everybody.

Mr. ARENS. Did they used to call you that in the Communist Party?

Mr. MASKIEWICZ. My business was private business in Hudson, New Hampshire.

Mr. ARENS. We don't want to know about your private business; we just want to know about your business in the Communist Party.

Mr. MASKIEWICZ. That was the name of my business—Benny the Ice—Ben's Ice. That was the sign of my trucks. That is why they call me "Benny, the Iceman." That is the way then it originates.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. KEARNEY. Mr. Chairman?

Mr. DOYLE. General Kearney, have you any questions?

Mr. KEARNEY. Yes, I have. I have not a question, but I have an observation to make of this witness, the same as I had of the other witness; that I am astonished, astounded at this character, who comes in and claims the protection of the United States Constitution. He has lived here for some forty years.

Mr. MASKIEWICZ. 46.

Mr. KEARNEY. He is not a citizen of the United States, and I would recommend that his case be turned over to the immigration authorities for immediate action.

Mr. DOYLE. I am sure we will all join you in that when we get back to Washington.

Why haven't you applied for your American citizenship in over forty years?

Mr. MASKIEWICZ. Gentlemen, this is the truth. This answer a truth answer which I will give you.

Mr. DOYLE. All right; tell the truth, then.

Mr. MASKIEWICZ. All right. I work. I was busy with my work all the time, and raising my family, and that is all. I don't run for no office. I don't participate in any political outlooks; so I just work.

Mr. DOYLE. You knew you could apply for citizenship by application, didn't you?

Mr. MASKIEWICZ. Any law in the Constitution of the United States you are forced to be a citizen or you got a right to live as American?

Mr. DOYLE. How long have you lived in Boston?

Mr. MASKIEWICZ. I never lived in Boston.

Mr. DOYLE. How far is the courthouse from your home in New York City?

Mr. MASKIEWICZ. Across the street, maybe.

Mr. DOYLE. You were so busy raising a family and working that you couldn't walk across the street, is that right?

Mr. MASKIEWICZ. It costs \$25-\$30 or more.

Mr. ARENS. Did the Communist Party take any of your time?

Mr. MASKIEWICZ. I worked in private industry. I wish to be—

Mr. ARENS. Did the Communist Party consume so much of your time as to preclude you from walking across the street to the courthouse?

Mr. KEARNEY. Mr. Chairman, I see no reason taking the time—

Mr. MASKIEWICZ. Fifth amendment.

Mr. KEARNEY. —taking the time of this committee with this witness here.

Mr. DOYLE. Witness, let me make this clear. You understand, do you, that we are going to recommend that you be deported—that is clear to you, isn't it.

Mr. MASKIEWICZ. Gentlemen, it is up to you.

Mr. DOYLE. You had no business coming to our country and living here for 46 years and making a living off us without becoming an American citizen.

Mr. MASKIEWICZ. Mr. Chairman—

Mr. DOYLE. And being a Communist in the meantime. You ought to be ashamed of yourself.

Mr. MASKIEWICZ. Mr. Chairman—so Polaski have no business to come to this country, But they not welcome here not they—Czechoslovakia and Polaski.

Mr. KEARNEY. I have heard enough.

Mr. DOYLE. You are excused.

Mr. ARENS. The next witness is Mr. John Russo. Kindly come forward while the chairman administers the oath to you.

Mr. DOYLE. Do you solemnly swear you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. RUSSO. I do.

Mr. DOYLE. Take the witness chair, please.

TESTIMONY OF JOHN RUSSO, ACCOMPANIED BY COUNSEL, GABRIEL KANTROVITZ

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. Russo. I am John Russo. I live at 5 Wellington Court, and I am a lithographer by occupation.

Mr. ARENS. You are appearing here today, Mr. Russo, in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. Russo. I am.

Mr. ARENS. And you are represented by counsel?

Mr. Russo. Yes.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. KANTROVITZ. Gabriel Kantrovitz, 294 Washington Street, Boston.

Mr. ARENS. Give us a word about your education, please, sir.

Mr. Russo. I went to grade school and 3 years of high school in Providence, R. I.

Mr. ARENS. I didn't get your present occupation. There was a little confusion here.

Mr. Russo. Lithographer.

Mr. ARENS. Where are you employed?

Mr. Russo. At the Colitho Company, in Boston.

Mr. ARENS. How long have you been employed there?

Mr. Russo. Approximately 2 years.

Mr. ARENS. Where were you employed immediately prior to your present employment?

Mr. Russo. At the Boston Solvic Air Division Company, in Boston.

Mr. ARENS. Are you now or have you ever been a member of the Communist Party?

Mr. Russo. Gentlemen, I respectfully decline to answer that question on the following grounds—

Mr. ARENS. You are reading now from a prepared statement?

Mr. Russo. That is correct.

Mr. ARENS. Who prepared the statement?

Mr. Russo. Let me read the statement first.

Mr. ARENS. Tell us first who prepared the statement.

Mr. Russo. I prepared the statement with the help of my counsel.

Mr. ARENS. Thank you. Proceed to read the statement.

Mr. Russo. The first reason, because the resolution creating this committee is unconstitutional and vague, secondly, the question is not pertinent to any subject within the committee's jurisdiction as spelled out in the Watkins decision. Third, this is an investigation which is exposure for exposure's sake. Fourth, because it abridges my right under the first amendment, that it abridges my right to free and political associations, and so forth.

Fifth, an answer to the question would be, and have a reasonable tendency to incriminate me, despite my innocence.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. Russo. Gentlemen, for the reasons mentioned previously I decline to answer that question.

Mr. ARENS. Do you know a person by the name of Armando Penha?

Mr. RUSSO. Gentlemen, for the reasons previously mentioned I decline to answer that question.

Mr. ARENS. Armando Penha testified here in the course of the last day or two that while he was an undercover agent in the Communist Party at the behest of the Federal Bureau of Investigation, he knew you as district youth leader of Communist Party activities and as a member of the Communist Party in this area.

Was Armando Penha telling the truth or was he in error?

Mr. RUSSO. I decline to answer this question, gentlemen, for the reasons mentioned previously.

Mr. ARENS. I respectfully suggest, Mr. Chairman, that will conclude the staff interrogation of this witness.

Mr. DOYLE. The witness is excused. Thank you.

Mr. ARENS. Mr. John Hovan, kindly come forward.

Please remain standing while the chairman administers the oath to you.

Mr. DOYLE. Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HOVAN. I do.

Mr. DOYLE. Please take the witness chair.

TESTIMONY OF JOHN G. HOVAN,¹ ACCOMPANIED BY COUNSEL, WILLIAM P. HOMANS, JR.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. HOVAN. My name is John Hovan. I live in Providence, R. I. I am a chemical worker.

Mr. ARENS. Where, please?

Mr. HOVAN. Mr. Chairman, I respectfully request that I don't have to discuss that.

Mr. ARENS. You are employed at the Geigy Chemical Corp., are you not, sir?

Mr. HOVAN. May I consult counsel?

(The witness conferred with his counsel.)

Mr. HOVAN. Mr. Chairman, I do work at the Geigy Chemical Corp.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you by the House Committee on Un-American Activities?

Mr. HOVAN. I am, sir.

Mr. ARENS. And you are represented by counsel?

Mr. HOVAN. I am, sir.

Mr. ARENS. Counsel, kindly identify yourself.

Mr. HOMANS. My name is William P. Homans, Jr. I have offices at 1 Court Street, in Boston, Massachusetts.

Mr. ARENS. Have you ever been employed in the textile industry?

Mr. HOVAN. Mr. Chairman, may I before answering that question make a few remarks?

This question of where one works—the way the questions are put—I was subpoenaed to appear yesterday, so I attended yesterday's hearing. The question makes it appear that where one works is something sinister, or—

¹ Voucher for witness fee signed "John G. Hovan."

Mr. ARENS. You know that isn't so. We are asking you where you work——

Mr. HOVAN. Mr. Chairman, may I proceed with——

Mr. ARENS. —because you have been identified as a colonizer for the Communist Party. That is the sole and exclusive reason why you have been subpoenaed before this committee.

Mr. DOYLE. I would like to make a statement to the witness, please.

Mr. HOVAN. May I proceed, please——

Mr. DOYLE. It makes it appear that that industry may have one or two or one or two dozen Communists in it. That is what we are interested in. That is the extent to which identified Communists are infiltrating industry in this country, including labor unions. Maybe that is your case—I don't know.

Mr. HOVAN. Mr. Chairman, I have worked for a living all my life, since the age of 15.

Mr. DOYLE. Good.

Mr. HOVAN. The only reason I have ever had to work anywhere is because I wanted to live decently.

Mr. DOYLE. Good.

Mr. HOVAN. And the only way I can do it is, honestly, by working for a living.

Mr. ARENS. Then be honest with this committee and tell whether or not you have ever been a member of the Communist Party.

Mr. HOVAN. Mr. Chairman, I decline to answer that on my constitutional privilege under the first and fifth amendments.

Mr. ARENS. Are you now a member of the Communist Party?

Mr. HOVAN. I decline, on the previously stated grounds.

Mr. ARENS. Did you fight in Spain in the Abraham Lincoln Brigade?

(The witness conferred with his counsel.)

Mr. HOVAN. Mr. Chairman, could I have explained to me what that has to do with the present——

Mr. ARENS. That would help identify you as a member of the Communist conspiracy, and part of the international Communist Party, because the Abraham Lincoln Brigade was controlled lock, stock, and barrel by the Communist conspiracy, and fought in Spain at the behest of the Communist operation.

Now, please, sir, tell us whether or not you participated in the Spanish Civil War with the Abraham Lincoln Brigade.

(The witness conferred with his counsel.)

Mr. HOVAN. Mr. Chairman, I decline to answer that as not being pertinent to the inquiry.

Mr. ARENS. Now, sir, please tell us where you were born.

Mr. HOVAN. I was born at Callahan, Florida.

Mr. ARENS. Mr. Chairman, I respectfully suggest that will conclude the staff interrogation of this witness.

Mr. DOYLE. Mr. Kearney?

Mr. KEARNEY. I have no questions.

Mr. DOYLE. I have one question, Witness.

I understood you to say just a minute ago that you had to work for a living ever since you were fifteen; is that correct?

Mr. HOVAN. That is correct.

Mr. DOYLE. Were you working on a salary while you were over in Spain fighting for two or three years? Were you paid a salary over there to support your family?

Mr. HOVAN. May I consult counsel, please?

Mr. DOYLE. Yes.

(The witness conferred with his counsel.)

Mr. HOVAN. I decline to answer questions on that subject, since I had declined to discuss the question.

Mr. DOYLE. I thought probably that would not be in the line of supporting your family, fighting over in Spain. That is why I asked you that question.

Mr. HOVAN. I was single at the time, sir.

Mr. DOYLE. You are excused.

Mr. ARENS. Mr. Chairman, in view of the intention of the committee to recess shortly, because of its very heavy schedule, we do not propose to call any other witnesses.

Now there are certain persons who are presently under subpoena, and I respectfully suggest that they be told that in view of the fact that they are under subpoena, they are entitled to witness fees and the like.

Mr. Bonora of our staff will be over here to my right in a few moments and be glad to accommodate those persons who will come forward with their subpoenas, who have not been heard.

Mr. KEARNEY. Do you want to continue them under subpoena?

Mr. ARENS. I do not think it is necessary now, Mr. Chairman.

Mr. DOYLE. May I say clearly to those who have been subpoenaed and are in the courtroom and have not been called, we regret that you have not, but on account of the weather, both here and at Washington and the necessity for two of our committee members to return to Washington in order to be in Congress yesterday, we have been delayed in our work.

We appreciate your patience in being here, and as you leave the courtroom, please sign your vouchers so you can be paid your legal fees.

Before I make a few brief remarks, I am going to call on the very distinguished American, General Pat Kearney.

May I ask please, the cooperation of every person in the room, that you not leave the room until we dismiss the committee.

We will be out of here in just a few minutes, but I do hope and expect you will favor us with your presence until we dismiss this meeting.

Mr. KEARNEY. I am not going to make any statement, Mr. Chairman concerning the hearings, for the reason I understand we are going to do that to the press afterwards, but I do want to say this: that I appreciate the courtesy extended to the committee by the United States Marshal and his deputies, the Federal Judges for the District Court of the United States, the courtesy of the press, and all others connected with this hearing.

It is a revelation not only to come to Boston to present the witnesses in the light we have, and to show just exactly what is going on in this Communist conspiracy, but it is also a pleasure to thank those who have treated us so courteously while we were in the City of Boston this week.

Mr. DOYLE. I have made just a few notes here which I will refer to in my brief statement on behalf of the committee.

First, I wish to call your attention to the fact which has not yet been emphasized in these hearings, that this subcommittee here in Boston these four days is a subcommittee of a committee of nine. This House Un-American Activities Committee is not a special committee. It is a standing committee of the House of Representatives. It has been a standing, regularly qualified committee approved unanimously by the House of Representatives on many occasions ever since 1946. I will not take time to read the charter. It was adopted in 1946 and under that charter we are here, duly qualified, and following our legal requirements.

I wish further to say: that this committee knew in advance that on account of lack of time here in Boston these hearings would be necessarily brief. We could not possibly cover the extent of the Communist operations in this New England area. But we believe we had knowledge, and we now have more knowledge from all reliable sources, of considerable extensive Communist Party subversive activities in the New England area, amounting to several hundred identified members in the Communist Party in the New England area. If we had time, therefore, we could call up to around 300 identified Communists in this area. To do so would have taken weeks of hearings, instead of just a few days. Furthermore, it would require assignment of our staff to this area, whereas they have obligations in other areas also.

In the few days that we have been here, we believe we have had a fair sampling of several phases of Communist subversive operations in this area.

What then has been accomplished, in our judgment, as a result of these hearings? These are some of the accomplishments:

In the first place, we have seen repetition here in the New England area, of a pattern of Communist activities and techniques which verifies and confirms the very same pattern of secret and habitually deceitful and subversive activities and tactics throughout our Nation.

We also have brought forth reliable evidence proving that there is in this highly sensitive and important industrial area a Communist Party activity which should be paid more attention by the public officials, both municipal and statewide, in cooperation with the Federal officials.

More specifically, there has been developed here new and convincing evidence regarding the existing loopholes in the Foreign Agents Registration Act, and other existing legislation, designed to identify and stem the flood of Communist propaganda that is daily reaching the shores of our Nation from Soviet Russia, and from other people, specifically doing it in cooperation with the Soviet Communist control of the Soviet Republic in this cold war.

And we wish to emphasize that this Communist subversive activity right here in the New England area and throughout our Nation is part of the cold war—it is not just merely propaganda—it is part of the cold war. There are no bullets being fired, but it is war nevertheless.

There has also been revealed further reliable factual Communist underground strategy and tactics penetrating entirely legitimate and loyal organizations, church groups, labor groups, youth groups, schools, lodges, and public offices.

There has also been revealed further definite information respecting efforts of the Communist conspiracy to penetrate certain vital industries by way of colonization by Communists, many of whom hold high degrees in education, bachelors of science and engineers; and yet, fulfilling their Communist Party dedication, they take menial jobs, at far less salaries in sensitive industries in order to carry out Communist Party directives, than they could earn at the profession for which they are especially equipped and trained.

We will take back to Washington for consideration by the Congress all the factual material here gained in connection with our study and consideration for the enactment of legislation.

There is, however, a collateral result, which is very valuable and continuing, as a result of these hearings, which I believe will have a salutary and important effect on this entire geographical area. This should be a daily reminder for you folks who have the pleasure, privilege, and inspiration of living in this area, of the continuous Communist Party subversive threat, both day and night, not merely as a philosophical concept, but as a menacing dynamic force of intrigue and subversion, operating as part of the Soviet cold war against the American way of life, which was, in fact, born right here within a mile of this building.

We wish to thank, therefore, these two American citizens who gave up commensurate income and went to work for the FBI at a mere pittance in order to serve their country. We thank them for their helpfulness to us.

Then, too, we wish to thank Federal Judge Francis Ford, the distinguished Federal Judge who occupies this courtroom and courteously turned it over to us. We thank United States Marshal Ralph Gray and all his most capable and thoughtful and helpful deputies. We thank, of course, Captain Daniel I. Murphy, Director of the Subversive Activities Section of the Department of Public Safety of this great commonwealth, and his very able staff, for helping our staff with these hearings.

And then, too, I want to thank the listeners in the courtroom for their courteous attention.

And finally, I would like to express our unanimous and sincere thanks to all members of the press, radio, and television profession and fraternity. We noticed the thoroughness, accuracy and the very constructive way in which you have reported and shown these hearings.

We want to thank, too, the large number of people who have written to us or who have sent us orally their expressions of appreciation for what the United States Congress is trying to do in this difficult field.

Have you anything else, Mr. Arens?

Mr. ARENS. No; thank you, Mr. Chairman.

(Whereupon, at 11:58 a. m., Friday, March 21, 1958, the subcommittee adjourned, subject to the call of the Chair.)

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